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CALIFORNIA SHORTHAND REPORTING

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CALIFORNIA SHORTHAND REPORTING

1 THURSDAY, MAY 27, 1999

9:30 O'CLOCK A.M.

2 ---oOo---

3 I. CALL TO ORDER

4 CHAIRMAN EATON: I'M SORRY THAT WE'RE A LITTLE
5 LATE, AND WELCOME TO TODAY'S MAY 27TH, 1999, BOARD MEETING
6 OF THE CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD.

7 II. ROLL CALL AND DECLARATION OF QUORUM

8 CHAIRMAN EATON: MADAM SECRETARY, WOULD YOU PLEASE
9 CALL THE ROLL SO WE CAN ESTABLISH A QUORUM?

10 THE SECRETARY: BOARD MEMBERS JONES?

11 MEMBER JONES: HERE.

12 THE SECRETARY: PENNINGTON?

13 MEMBER PENNINGTON: HERE.

14 THE SECRETARY: ROBERTI?

15 MEMBER ROBERTI: HERE.

16 THE SECRETARY: CHAIRMAN EATON?

17 CHAIRMAN EATON: HERE.

18 A QUORUM IS PRESENT.

19 III. OPENING REMARKS

20 CHAIRMAN EATON: I'LL START WITH MY LEFT AND SEE
21 IF ANY OF OUR MEMBERS HAVE ANY EX PARTES THEY NEED TO REPORT
22 IF THEY HAVEN'T ALREADY DONE SO. MR. PENNINGTON?

23 MEMBER PENNINGTON: YES, MR. CHAIRMAN. LET'S SEE,
24 I'VE GOTTEN LETTERS ON THE SANBORN PARK PROJECT FROM DON

1 PERATTA (PHON) AND -- I CAN'T -- ANYWAY, FROM --

2 (THE PARTIES SIMULTANEOUSLY SPEAK.)

3 MEMBER JONES: -- AND JERRY BROWN. AND I THOUGHT
4 THERE WAS ONE OTHER IN HERE TOO -- NO, I GUESS I GOT TWO OF
5 THEM.

6 SO THEN, ALSO, I HAD A DISCUSSION WITH EVAN
7 EDGAR YESTERDAY OR THE DAY BEFORE.

8 AND I ALSO HAD A PHONE CALL FROM MICHAEL
9 BURNS (PHON) WITH TOTAL TIRE RECYCLING INVITING ME TO VISIT
10 THE SITE.

11 I MET WITH LAURIE HANSEN, GEORGE LARSON,
12 MOREN (PHON) PERKINS AND LANCE HASTINGS CONCERNING THE RPPC
13 ITEM. AND I ALSO HAD A PHONE CALL FROM GEORGE LARSON ON
14 THAT ITEM.

15 THAT'S IT.

16 CHAIRMAN EATON: OKAY. MR. JONES.

17 MEMBER JONES: MR. CHAIRMAN, MINE WERE UP TO DATE
18 OTHER THAN SOME HELLOS TO PAUL RYAN (PHON) TODAY AND A
19 LITTLE DISCUSSION ABOUT BASE-YEAR.

20 AND FROM CAL WASTE, DAVE AKARAS (PHON), JACK
21 FLORY (PHON) AND GEORGE EWAHN (PHON). AND THEN A HELLO TO
22 WILLIAM MARY (PHON) AND GIVING HIM DIRECTIONS FROM MONTEREY.

23 CHAIRMAN EATON: SENATOR, WELCOME.

24 MEMBER ROBERTI: THANK YOU.

CALIFORNIA SHORTHAND REPORTING

1 CHAIRMAN EATON: BACK, I'M SORRY.

2 MEMBER ROBERTI: I HAVE NO EX PARTES.

3 CHAIRMAN EATON: OKAY. AND I JUST HAVE ONE ORAL
4 THAT WAS WITH LANCE HASTINGS FROM THE GROCERY MANUFACTURERS
5 ASSOCIATION YESTERDAY AFTERNOON REGARDING THE RPPC ITEM.

6 FOR THOSE OF YOU WHO MAY BE NEW HERE, AND FOR
7 THOSE OF YOU WHO HAVE BEEN HERE BUT MAY HAVE FORGOTTEN, IN
8 THE BACK OF THE ROOM THERE ARE SPEAKER SLIPS THAT IF YOU'D
9 KINDLY FILL OUT WITH THE AGENDA ITEM NUMBER AND BRING THEM
10 UP TO MS. DOMINGUEZ, WHO'S HERE ON MY LEFT, AND WE'LL MAKE
11 SURE THAT THEY GET TO ME SO THAT I CAN RECOGNIZE YOU AS THAT
12 ITEM DOES COME UP ON OUR AGENDA. ALSO, IF YOU'RE GOING TO
13 BE SPEAKING ON MULTIPLE ITEMS, IF YOU COULD KINDLY JUST MAKE
14 SURE THAT THAT'S NOTED, SO IF YOU'RE GOING TO SPEAK ON ITEM
15 TWO AND ALSO ITEM EIGHT, THAT BOTH OF THOSE ARE CLEARLY
16 DELINEATED SO THAT'LL MAKE IT EASIER FOR US.

17 IV. REPORTS AND PRESENTATIONS

18 ORAL REPORTS FROM BOARD MEMBERS

19 CHAIRMAN EATON: HAVING SAID THAT, DO ANY OF MY
20 FELLOW BOARD MEMBERS HAVE ANYTHING THAT THEY'D LIKE TO --
21 REPORTS THEY'D LIKE TO BRING UP THIS MORNING? MR.
22 PENNINGTON?

23 MEMBER PENNINGTON: NO, THANK YOU, MR. CHAIRMAN.

24 CHAIRMAN EATON: MR. JONES?

1 MEMBER JONES: MR. CHAIRMAN, JUST BRIEFLY. I WAS
2 AT GRANLIBAKKEN LAST WEEK FOR THE WASTE BOARD DTSC HOUSEHOLD
3 HAZARDOUS WASTE, USED OIL TRAINING AND AWARDS. I JUST
4 WANTED TO LET THIS BOARD KNOW THAT EVERYBODY I TALKED TO
5 SAID IT WAS AN EXCEPTIONAL EVENT. I THINK THAT JUDY
6 FRIEDMAN, SHIRLEY WILLD-WAGNER, JUDY FRANCE (PHON) FROM
7 TOXICS DID A GREAT JOB. THE STAFF WAS THERE ACTING AS
8 MODERATORS.

9 AND I THINK IT'S IMPORTANT THAT WE GET A
10 LITTLE FEEDBACK ON THIS STUFF BECAUSE OF THE MONEY THAT WE
11 GIVE OUT IN BLOCK GRANTS TO CITIES AND COUNTIES NOT ONLY TO
12 DO RECYCLING BUT TO DO LOAD CHECKING AND HOUSEHOLD HAZARDOUS
13 WASTE EVENTS.

14 I WAS ASKED TO GIVE A COUPLE OF WORDS. I
15 DIDN'T GO UP THERE PREPARED TO SPEAK, BUT WHAT I DID SPEAK
16 TO WAS -- AND IT WAS VERY, VERY IMPORTANT THAT EVERYBODY
17 UNDERSTANDS, THE PEOPLE THAT -- THE PROFESSIONALS THAT ARE
18 WORKING IN THAT FIELD RIGHT NOW ARE DEDICATED, THEY'RE
19 ENERGIZED, THEY'RE DEDICATED BECAUSE THEY UNDERSTAND THAT
20 THE BETTER JOB THEY DO THE BETTER THIS ENVIRONMENT IS IN
21 KEEPING OIL OUT OF THE WATERWAYS AND THINGS LIKE THAT.

22 WHAT THEY MAY NOT ALWAYS UNDERSTAND, AND WHAT
23 I BROUGHT UP IN MY CONVERSATION WAS MY FIRST REAL EXPERIENCE
24 WITH HOUSEHOLD HAZARDOUS WASTE WAS WITH A FRIEND OF MINE

1 THAT WORKED ON A TRUCK IN SAN FRANCISCO IN THE '70S, AND
2 WE'D PICK UP GARBAGE AND BUCKETS (SIC) IN SAN FRANCISCO, AND
3 SOME MORON, OR MAYBE JUST NON-INFORMED CITIZEN LEFT A BOTTLE
4 OF ACID IN THE GARBAGE, SO WHEN HE ROLLED IT ON HIS KNEE TO
5 PUT IT ON HIS BACK THAT ACID WENT THROUGH, ATE UP HIS LEG,
6 HE NEVER WORKED AGAIN.

7 SO, THERE IS A -- THOSE WERE PART OF MY
8 COMMENTS TO THOSE PEOPLE, TO UNDERSTAND THE HEALTH AND
9 SAFETY ISSUES. WHEN IT COMES TO THE WORKERS, THE PEOPLE
10 THAT ARE IN LANDFILLS, CLEANING UP TRACKS ON A DOZER OR
11 WHATEVER, THERE'S REAL PERIL HERE. SO I THINK THAT MONEY
12 THAT WE GIVE OUT IS CRITICALLY IMPORTANT.

13 AND ONE OTHER ISSUE WE NEED TO TALK ABOUT IS
14 THAT THE MANUFACTURERS BACK IN WASHINGTON, D.C., ARE WORKING
15 WITH EPA TO TRY TO PUT A LABEL ON THE FRONT OF EVERY PLASTIC
16 AND EVERY CONTAINER THAT HOLDS THOSE KINDS OF LIQUIDS THAT
17 SAYS WHETHER -- YOU KNOW, WHETHER HALF-EMPTY OR EMPTY PROPER
18 DISPOSAL OF THAT RECEPTACLE IS IN A GARBAGE CAN AND WE NEED
19 TO OPPOSE THAT, WE NEED TO MAKE SURE THAT PEOPLE UNDERSTAND
20 IN CALIFORNIA THAT THAT THING HAS GOT TO BE EMPTY BEFORE IT
21 EVER GOES INTO A GARBAGE CAN OR SOMEBODY ELSE IS GOING TO
22 LOSE THE FLESH ON THEIR LEG. SO, I JUST WANTED TO BRING
23 THAT UP.

24 IT WAS A GREAT EVENT, DID A GOOD JOB, SO.

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1 CHAIRMAN EATON: ANYTHING POSITIVE TO REPORT?

2 MEMBER JONES: A LOT OF POSITIVES.

3 CHAIRMAN EATON: OKAY. SENATOR?

4 MEMBER ROBERTI: I JUST GOT BACK FROM (INAUDIBLE;
5 OFF-MIKE) SO (INAUDIBLE) ARE ALIVE AND WELL.

6 CHAIRMAN EATON: (LAUGHTER.) THAT'S GREAT.
7 HOPEFULLY YOU HAD A GOOD TIME. SORRY TO HAVE TO DRAG YOU
8 BACK FOR THIS.

9 JUST A COUPLE OF THINGS TO REPORT FOR MYSELF.
10 TWO WEEKS AGO TOMORROW, TWO WEEKS AGO EILEEN ADAMS, WHO IS
11 THE AGENCY SECRETARY WHO OVERSEES GENERAL SERVICES, AS WELL
12 AS SENATOR DEBRA BOWEN, REPRESENTATIVES OF NUMEROUS AGENCIES
13 FROM CALIFORNIA ENERGY COMMISSION, CAREN TRGOVCICH OF OUR
14 STAFF, THE AIR RESOURCES PEOPLE ALL WENT DOWN TO RIDGEHAVEN
15 IN SAN DIEGO TO OVERSEE A BRIEFING WITH REGARD TO THE GREEN
16 BUILDING OF RIDGEHAVEN, OF WHICH THIS BOARD HAS BEEN KEENLY
17 AWARE OF FOR A NUMBER OF YEARS.

18 I'M HAPPY TO REPORT THAT AS A RESULT OF THAT
19 MEETING, AS WELL AS OTHER MEETINGS THAT WE'VE HAD, IT LOOKS
20 LIKE GENERAL SERVICES AS WELL AS OTHER STATE AGENCIES, ARE
21 FINALLY GOING TO BE MOVING IN THE DIRECTION OF NOT ONLY
22 GREEN PROCUREMENT, WHICH SHOULD HELP SOME OF THE MARKET
23 STUFF THAT WE'RE SORT OF WORKING ON FROM A STATE AGENCY
24 STANDPOINT, BUT WITH REGARD TO THE EAST END PROJECT, WHICH

1 IS THE NEXT BIG PUBLIC WORKS PROJECT, I THINK TOTALING SOME
2 \$392 MILLION, I THINK, IN CAPITAL OUTLAY, IF I'M NOT
3 MISTAKEN, THAT FIGURE, ALTHOUGH WE'RE TRYING TO PUSH IT UP A
4 LITTLE BIT FOR PURPOSES -- THAT THEY WERE ALL VERY
5 IMPRESSED. IT WAS A PUBLIC BUDGET AND I THINK THAT WE'RE
6 GOING TO START -- WE'VE STARTED TO TURN THE CORNER A LITTLE
7 BIT.

8 AND THAT MS. ADAMS, AS WELL AS SENATOR BOWEN,
9 AND SECRETARY HICKOCKS, WHO OVERSEES OUR BOARD, ARE ALL ON
10 BOARD AND HAVE PLEDGED THEIR SUPPORT FOR MOVING THESE
11 AGENCIES AND EVERYONE ON DOWN THE LINE INTO A MODE OF GREEN
12 BUILDING. SO I THINK THAT THAT WAS VERY GOOD FROM A BOARD'S
13 STANDPOINT. AND I THANK ALL OF YOU WHO ARE HERE WHO LED THE
14 FIGHT WHEN NO ONE WAS LISTENING. AND I WAS JUST FORTUNATE
15 TO COME IN AT A TIME WHEN I THINK PEOPLE WERE MUCH MORE OPEN
16 TO LISTENING, AND I THINK WE'LL SEE SOME THINGS -- THAT
17 DOESN'T MEAN THE JOB'S DONE, BUT IT SURELY DOES MEAN THAT
18 WE'RE ON OUR WAY.

19 THE OTHER THING IS, I WAS IN ALBUQUERQUE FOR
20 A COMPOST CONFERENCE, FOR THOSE OF YOU WHO PROBABLY FIGURED
21 I WAS AT HOME IN THE COMPOST PILE, I CAN SAY THAT I SURVIVED
22 AND IT
23 WAS REAL WELL. I THINK THE ONE THING THAT I BROUGHT AWAY
24 THAT WE OUGHT TO BE AWARE OF AS A BOARD, AND HOPEFULLY WE'LL

1 TAKE A LOOK AT IT, IS THE EVER-INCREASING PROBLEM OF MANURE,
2 BOTH DAIRY AND STEER MANURE WHICH SEEMS TO HAVE TAKEN ON A
3 NATIONAL ATTENTION, AND THE ABILITY TO USE THAT OR NOT USE
4 THAT IN COMPOSTING AND THE IMPLICATIONS FOR THE AGRICULTURAL
5 COMMUNITY. THAT IS AN ISSUE THAT'S SORT OF ON THE HORIZON
6 AND AS WE GO DOWN THE ROAD I THINK IT'S GOING TO BE
7 INCREASINGLY IMPORTANT. THERE WERE SOME VERY, VERY GOOD
8 PRESENTATIONS.

9 AS WELL AS I THINK THERE IS GOING TO BE --
10 THE FEDERAL GOVERNMENT HAS PUT A NUMBER OF RESOURCES INTO A
11 CONFERENCE IN DECEMBER, AND I WOULD ASK THE BOARD MEMBERS
12 AND/OR THE APPROPRIATE DEPARTMENTS IF THEY WOULD BE
13 INTERESTED IN ATTENDING THAT; IT'S BACK IN THE EAST IN THE
14 MIDDLE OF WINTER.

15 BUT I THINK IT IS SOMETHING THAT AT LEAST THE
16 SCIENTISTS ARE WORKING ON TO PREVENT SOME OF THE PROBLEMS
17 THAT HAVE COME UP AND SOME OF THE VIRUSES THAT ARE ATTENDANT
18 THEREIN AS THE PROBLEM BEGINS TO INCREASE, AND SOME PEOPLE
19 ARE REALLY AHEAD OF THE CURVE ON IT.

20 SO I THINK IT WAS A HELPFUL CONFERENCE, AND
21 ONE THAT I THINK THAT AS WE LOOK DOWN THE ROAD IS GOING TO
22 BE IMPORTANT FOR OUR STATE, WHERE AGRICULTURE PLAYS SUCH A
23 LARGE ROLE.

24 HAVING SAID THAT, THERE ARE NO ITEMS TO BE

1 HEARD UNDER OUR CONTINUING BUSINESS. THE NEXT ITEM IS THE
2 APPROVAL OF THE ADOPTION OF A CONSENT CALENDAR.

3 ORAL REPORT FROM THE EXECUTIVE DIRECTOR AND EXECUTIVE
4 STAFF

5 AND ONE MORE THING, BEFORE THAT WE HAVE THE
6 21ST CENTURY AND EXECUTIVE DIRECTOR'S REPORT, WHICH I ALWAYS
7 SEEM NEVER TO WANT TO HEAR, SO I APOLOGIZE. SO, MR.
8 CHANDLER, GO AHEAD.

9 MR. CHANDLER: I WON'T TAKE THAT PERSONALLY, BUT I
10 WILL --

11 CHAIRMAN EATON: YOU SHOULDN'T.

12 MR. CHANDLER: -- MAYBE JUST ELIMINATE THE LAST
13 THREE PAGES AND MAKE IT SHORT. HOW'S THAT? NO. LET ME
14 JUST SAY, I DO HAVE A COUPLE OF ITEMS THAT I'D LIKE TO BRIEF
15 YOU ON THIS MORNING.

16 AND THE FIRST IS TO TELL YOU THAT THE ONGOING
17 STATE MINIMUM STANDARDS TRAINING IS BEING RECEIVED EXTREMELY
18 WELL BY LEAS AND OPERATORS AROUND THE STATE. BOARD STAFF,
19 IN COOPERATION WITH OUR LEAS AND CCDEH DEVELOPED TRAINING
20 WHICH IS DESIGNED TO FOCUS ON THE STANDARDS OF REGIONAL
21 IMPORTANCE AS DETERMINED BY THE PARTICIPANTS.

22 THE TRAINING INVOLVES A SITE TOUR ALLOWING
23 THE PARTICIPANTS TO LEARN ABOUT THE DESIGN, OPERATION AND
24 COMPLIANCE STRATEGIES FOR EACH SITE. MINIMUM STANDARDS

1 OVERVIEW IS PROVIDED TO THE GROUP FOLLOWED BY FOCUSED
2 DISCUSSIONS TO HELP LEAS AND OPERATORS CALIBRATE THEIR
3 APPROACHES TO COMPLIANCE.

4 THE OBJECTIVES ARE TO, ONE, INCREASE THE
5 UNDERSTANDING OF STATE MINIMUM STANDARDS REQUIREMENTS;
6 SECONDLY, TO PROVIDE A FORUM FOR LEAS, THE BOARD AND
7 OPERATORS TO DISCUSS CRITERIA FOR EVALUATING COMPLIANCE WITH
8 KEY STANDARDS; AND, FINALLY, TO EXPAND KNOWLEDGE OF VARIOUS
9 LANDFILL OPERATION STRATEGIES FOR COMPLIANCE.

10 SO FAR STAFF HAVE OFFERED THE TRAINING IN
11 REDDING, RICHMOND, STOCKTON, BAKERSFIELD, AND VENTURA, AND
12 BASED ON THE EVALUATIONS RECEIVED SO FAR ON A SCALE OF ONE
13 TO NINE THE TRAINING HAS RECEIVED A SEVEN AND A HALF POINT
14 SCORING. EIGHTY-SEVEN LEAS AND 97 OPERATORS HAVE ATTENDED
15 TO DATE, WITH SEVERAL MORE SESSIONS PLANNED FOR SAN DIEGO,
16 SANTA ANA, AND VENTURA.

17 AND NEXT I'D LIKE TO JUST GIVE YOU A SHORT
18 UPDATE ON OUR TARGETED IMPLEMENTATION ASSISTANCE EFFORTS
19 BEING COORDINATED BY THE OFFICE OF LOCAL ASSISTANCE. AS YOU
20 KNOW, ENHANCED LOCAL ASSISTANCE IS ONE OF OUR FOUR PRIORITY
21 AREAS IN OUR STRATEGIC PLAN, AND TO ACHIEVE THE GOAL THE
22 TEAMS WERE FORMED TO ASSESS THE NEEDS OF THE JURISDICTIONS
23 THAT ARE FURTHEST BEHIND IN MEETING THE YEAR 2000 MANDATES
24 AND TO INCREASE BOARD ASSISTANCE TO THEM.

1 IT'S IMPORTANT TO NOTE THAT THIS IS A CROSS-
2 DIVISIONAL EFFORT AS THE TEAMS CONSIST STAFF (SIC) MARKETS,
3 THE PLANNING DIVISION AND PERMITTING ENFORCEMENT.

4 THE SELECTION CRITERIA FOR THE TARGET
5 ASSISTANCE INCLUDES LOW DIVERSION RATES, WILLINGNESS TO
6 RECEIVE THE ASSISTANCE, POTENTIAL C&D AND GREEN WASTE
7 DIVERSION, IMPACTS ON STATEWIDE WASTE STREAM, AND THE
8 POTENTIAL REGIONAL PARTNERSHIPS.

9 THE BOARD IS CURRENTLY PROVIDING ASSISTANCE
10 TO THE COUNTIES OF CONTRA COSTA, MONTEREY, ORANGE, SANTA
11 CRUZ, SHASTA, SOLANO, TULARE AND TEHEMA, AND THE CITIES OF
12 COACHELLA, HAWAIIAN GARDENS, HAWTHORNE AND ARCADA.

13 THE NEXT STEP IS TO EVALUATE THE LOCAL WASTE
14 STREAMS AND WASTE MANAGEMENT PROGRAMS. AFTER VISITING WITH
15 THE JURISDICTIONS AND TOURING THE FACILITIES THE STAFF THEN
16 MAKE PROGRAM RECOMMENDATIONS THAT THE JURISDICTION SHOULD
17 FOCUS ON OVER THE NEXT 18 MONTHS TO REACH THEIR DIVERSION
18 GOALS. AFTER MAKING THESE RECOMMENDATIONS THE TEAMS ENTER
19 INTO LOCAL JURISDICTION ASSISTANCE PLANS WITH THE
20 JURISDICTIONS THAT OUTLINE WHAT ASSISTANCE THE BOARD WILL
21 PROVIDE AND WHAT COMMITMENTS THE JURISDICTIONS WILL MAKE.

22 IN ADDITION TO DEVELOPING THESE PLANS THE
23 STAFF THEN DEVELOPS INTERNAL COORDINATION WORK PLANS THAT
24 SPELL OUT PROGRAM TASKS, STAFFING NEEDS AND THE LIKE.

1 AND FINALLY, DURING JUNE STAFF WILL CONDUCT A
2 BUSINESS WASTE ASSESSMENT TRAINING FOR CONTRA COSTA COUNTY,
3 A FOOD WASTE DIVERSION WORKSHOP FOR MONTEREY COUNTY, AND
4 JURISDICTIONS NEEDS ASSESSMENTS FOR SOLANO COUNTY.

5 AND THAT BRIEF SUMMARY CONCLUDES MY REMARKS.
6 IF THERE'S ANY QUESTIONS? OTHERWISE, THANK YOU.

7 CHAIRMAN EATON: ANY QUESTIONS OF MR. CHANDLER?
8 ORAL REPORT ON THE STATUS OF THE 21ST CENTURY POLICY
9 DEVELOPMENT PROCESS

10 CHAIRMAN EATON: THE 21ST CENTURY, MR. JONES.

11 MEMBER JONES: THE 21ST CENTURY PROJECT, THERE
12 SHOULD HAVE BEEN A LETTER THAT WENT OUT YESTERDAY OR TODAY
13 TO NOTIFY ALL THE STAKEHOLDERS THE STATE OF WHAT WE ARE
14 DOING, WHERE WE'RE GOING, AND WHERE THEY CAN SEE THINGS ON
15 THE WEB SITE.

16 WE'VE GOT SOME INTERNAL MEETINGS GOING ON
17 THAT ARE FURTHER DEVELOPING THOSE SCENARIOS, AND I'LL HAVE
18 MORE TO REPORT PROBABLY SOME OTHER DAY.

19 V. CONTINUED BUSINESS AGENDA ITEMS

20 (NONE.)

21 VI. CONSENT AGENDA

22 CHAIRMAN EATON: OKAY, ADOPTION OF THE CONSENT
23 CALENDAR. MEMBERS, YOU MAY HAVE SEEN TWO AGENDAS, ONE THAT
24 WAS DROPPED OFF THIS MORNING. THE ONLY CHANGE ON THAT WAS

1 REALLY A -- TYPOGRAPHICAL, IN THE SENSE THAT ITEMS NUMBER 12
2 ADN 14 HAD A SUBCOMPONENT OF (A) PUT IN, AND THAT WAS TO
3 SEPARATE THE SCOPE OF WORK FROM THE AWARD OF MONEY SO THAT
4 WHEN WE DO THE CONSENT CALENDAR WHAT WE WOULD BE DOING WOULD
5 BE AGREEING THAT THE SCOPE OF WORK WOULD BE ON CONSENT, BUT
6 THAT WE WILL VERY QUICKLY, AT THE APPROPRIATE TIME AS WE
7 MOVE THROUGH THE AGENDA, AWARD THE MONEY IN A VOTE.

8 I WOULD ASK YOU THAT -- TO LOOK AT THIS AND
9 TO CONSIDER THAT IF IN THE FUTURE IF YOU WANT TO COMBINE
10 BOTH OF THOSE -- WE'VE TRIED IT A COUPLE OF TIMES WHERE
11 WE'VE SEPARATED THEM OUT. I THINK IT'S GOOD POLICY THAT, AT
12 LEAST FROM THE MONEY, THAT WE SEPARATE IT OUT. BUT, THAT'S
13 THE REASON WHY THERE IS A 11(A), 11(B), 12(A) AND 12(B), AND
14 14(A) AND 14(B).

15 IN ADDITION, BEFORE WE GET TO THE CONSENT
16 CALENDAR, I WANT TO LET EVERYONE KNOW THAT WE HAVE PULLED
17 ITEM NUMBER 16, AND THAT IS THE CONSIDERATION AND APPROVAL
18 OF THE IN-HOUSE WASTE REDUCTION AND RECYCLED CONTENT PRODUCT
19 PROCUREMENT POLICY, THAT IS ITEM 16. AND WE WILL INSTEAD
20 MOVE THAT TO THE JUNE 9TH BOARD MEETING WHICH IS GOING TO BE
21 A REALLOCATION BOARD MEETING WHERE WE REALLOCATE THE FUNDS
22 TOWARDS THE ENDS OF THE YEAR. SO ITEM 16, FOR THOSE OF YOU
23 IN THE AUDIENCE, THAT'S THE IN-HOUSE WASTE REDUCTION AND
24 RECYCLED CONTENT PRODUCT PROCUREMENT POLICY.

1 ALL RIGHTY. THE ITEMS THAT HAVE BEEN PLACED
2 ON THE CONSENT AGENDA FOR TODAY ARE 11 (A) , 12 (A) , 14 (A) , 19,
3 20, AND 21.

4 WOULD ANYONE --

5 MEMBER PENNINGTON: MR. CHAIRMAN, I'LL MOVE
6 ADOPTION OF THE CONSENT CALENDAR.

7 MEMBER JONES: AND I'LL SECOND IT.

8 CHAIRMAN EATON: ALL RIGHTY.
9 MR. PENNINGTON MOVES AND MR. JONES SECONDS THAT WE ADOPT THE
10 CONSENT CALENDAR CONSISTING OF ITEMS 11 (A) , 12 (A) , 14 (A) ,
11 19, 20, AND 21.

12 MADAM SECRETARY, WILL YOU PLEASE CALL THE
13 ROLL?

14 THE SECRETARY: BOARD MEMBERS JONES?

15 MEMBER JONES: AYE.

16 THE SECRETARY: PENNINGTON?

17 MEMBER PENNINGTON: AYE.

18 THE SECRETARY: ROBERTI?

19 MEMBER ROBERTI: AYE.

20 THE SECRETARY: CHAIRMAN EATON?

21 CHAIRMAN EATON: AYE.

22 ALL RIGHTY.

23 VII. NEW BUSINESS AGENDA ITEMS PERMITS, LEA AND FACILITY
24 COMPLIANCE

1 AGENDA ITEM 1: CONSIDERATION OF A REVISED SOLID WASTE
2 FACILITIES PERMIT FOR CRESCENT CITY LANDFILL, DEL NORTE
3 COUNTY

4 CHAIRMAN EATON: ALL RIGHT, TO NEW BUSINESS.
5 UNDER PERMITS, LEA AND FACILITY COMPLIANCE, ITEM NO. 1,
6 CONSIDERATION OF A REVISED SOLID WASTE FACILITIES PERMIT FOR
7 CRESCENT CITY LANDFILL, DEL NORTE COUNTY.

8 MS. KARL: GOOD MORNING CHAIRMAN EATON AND MEMBERS
9 OF THE BOARD, MY NAME IS CHRISTY KARL WITH THE PERMITTING
10 AND ENFORCEMENT DIVISION.

11 THIS ITEM CONSIDERS A REVISED SOLID WASTE
12 FACILITY PERMIT FOR THE CRESCENT CITY LANDFILL IN DEL NORTE
13 COUNTY. THE FACILITY IS OWNED BY THE COUNTY OF DEL NORTE
14 AND OPERATED BY THE DEL NORTE SOLID WASTE MANAGEMENT
15 AUTHORITY.

16 THE PROPOSED PERMIT IS TO ALLOW FOR THE
17 DISPOSAL OF 200 TONS OF WASTE PER DAY, ALSO TO ALLOW FOR A
18 CHANGE IN OPERATING HOURS, AND AN INCREASE IN VEHICULAR
19 TRAFFIC TO ACCOMMODATE THE IMPORTATION OF SOIL WHICH WILL BE
20 USED TO BUILD SLOPE STABILIZATION BERMS.

21 THE LANDFILL IS SCHEDULED TO CLOSE IN THE
22 YEAR 2002.

23 AT THE TIME THIS AGENDA ITEM WENT TO PRINT I
24 WAS UNABLE TO OFFER A RECOMMENDATION DUE TO THREE FINDINGS

1 WHICH REMAINED OUTSTANDING AND ARE REQUIRED FOR STAFF TO
2 RECOMMEND CONCURRENCE. THESE FINDINGS HAVE SINCE BEEN MADE
3 AND ALL REQUIREMENTS HAVE BEEN MET. THEREFORE, STAFF
4 RECOMMENDS THE BOARD CONCUR IN THE ISSUANCE OF SOLID WASTE
5 FACILITY PERMIT NO. 08-AA-0006.

6 THIS CONCLUDES STAFF PRESENTATION. DON HOLM
7 REPRESENTING THE LOCAL ENFORCEMENT AGENCY AND KEVIN HENDRICK
8 REPRESENTING THE DEL NORTE SOLID WASTE MANAGEMENT AUTHORITY
9 ARE PRESENT TO ANSWER ANY QUESTIONS YOU MAY HAVE.

10 CHAIRMAN EATON: GENTLEMEN, WELCOME.

11 QUESTIONS, COMMENTS?

12 MEMBER JONES: MR. CHAIRMAN?

13 CHAIRMAN EATON: MR. JONES.

14 MEMBER JONES: SINCE IT WAS CHRISTY'S BIRTHDAY THE
15 OTHER DAY I'LL MOVE RESOLUTION 1999-209.

16 CHAIRMAN EATON: ALL RIGHTY.

17 MS. KARL: THANK YOU.

18 MEMBER PENNINGTON: WELL, I'LL --

19 CHAIRMAN EATON: IS THAT A SECOND ON THE BIRTHDAY
20 WISH OR --

21 MEMBER PENNINGTON: I WAS GOING TO SAY, I'LL JOIN
22 THE BIRTHDAY PARADE -- (LAUGHTER) --

23 CHAIRMAN EATON: ALL RIGHTY.

24 MEMBER PENNINGTON: -- AND SECOND THAT.

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1 CHAIRMAN EATON: BOTH AS IT RELATES TO THE
2 BIRTHDAY WISH AND THE RESOLUTION. OKAY.

3 MEMBER PENNINGTON: ABSOLUTELY.

4 CHAIRMAN EATON: OKAY. MR. JONES MOVES AND MR.
5 PENNINGTON SECONDS THAT WE ADOPT RESOLUTION 1999-209.

6 MADAM SECRETARY, WOULD YOU PLEASE CALL THE
7 ROLL ON THE FIRST PERMIT?

8 THE SECRETARY: BOARD MEMBERS JONES?

9 MEMBER JONES: AYE.

10 THE SECRETARY: PENNINGTON?

11 MEMBER PENNINGTON: AYE.

12 THE SECRETARY: ROBERTI?

13 MEMBER ROBERTI: AYE.

14 THE SECRETARY: CHAIRMAN EATON?

15 CHAIRMAN EATON: AYE.

16 RESOLUTION PASSES.

17 AGENDA ITEM 2: CONSIDERATION OF A REVISED SOLID WASTE
18 FACILITY PERMIT FOR THE MONTEREY PENINSULA LANDFILL,
19 MONTEREY COUNTY

20 CHAIRMAN EATON: ITEM NO. 2, REVISED SOLID WASTE
21 PERMIT FOR THE MONTEREY PENINSULA LANDFILL, MONTEREY COUNTY.

22 GENTLEMEN, THANK YOU.

23 MR. DIER: MR. CHAIRMAN, MEMBERS, DON DIER WITH
24 THE PERMITTING AND ENFORCEMENT DIVISION. LLOYD DILLON WAS

1 GOING TO MAKE THIS PRESENTATION BUT HE WAS NOT ABLE TO GET
2 HERE IN TIME SO I'M FILLING IN FOR HIM.

3 CHAIRMAN EATON: IS IT HIS BIRTHDAY?

4 MR. DIER: NO.

5 CHAIRMAN EATON: OKAY.

6 MR. DIER: NO. IN FACT, HE MIGHT BE EMBARRASSED
7 IF HE HAD TO SAY PUBLICLY WHERE HE WAS. (LAUGHTER.)

8 MEMBER JONES: WHY DON'T YOU TELL US.

9 CHAIRMAN EATON: WOULD THE BOARD MEMBERS PLEASE
10 HOLD THEIR QUESTIONS UNTIL STAFF HAS FINISHED THEIR
11 PRESENTATION? (LAUGHTER.)

12 MR. DIER: THIS ITEMS REGARDS THE MONTEREY
13 PENINSULA LANDFILL IN MONTEREY COUNTY, ALSO KNOWN AS THE
14 MARINA LANDFILL. IT'S A REVISED PERMIT TO ACCOMMODATE
15 SEVERAL CHANGES AT THE FACILITY.

16 THERE ARE SOME MINOR CHANGES IN THE HOURS OF
17 OPERATION. THE PERMIT SPECIFIES A MAXIMUM TONNAGE OF 1200
18 TONS, WHEREAS THE EXISTING PERMIT DESCRIBES AN AVERAGE OF
19 850 AND A PEAK OF 1200, SO WE HAVE A MUCH MORE DEFINABLE
20 PERMIT NOW. IT PUTS A LIMIT FOR THE TRAFFIC AT THE FACILITY
21 WHERE NO LIMIT EXISTED BEFORE. IT WOULD ALLOW THE
22 UTILIZATION OF SLUDGE AS A COMPOST AMENDMENT, AND THEN
23 FURTHER USING IT AS INTERMEDIATE AND FINAL COVER.

24 THE OVERALL VOLUME OF THE LANDFILL WILL NOT

1 CHANGE. HOWEVER, BECAUSE OF SOME CHANGES IN THE INTERNAL
2 CELL (SIC) WALL CONSTRUCTION THE AVAILABLE SPACE FOR REFUSE
3 WILL INCREASE.

4 I WOULD LIKE TO POINT OUT A COUPLE OF MINOR
5 ERRORS IN THE STAFF REPORT. ON PAGE 2-3, ON THE FIRST
6 BULLET, THE HOURS OF OPERATION FOR SATURDAY REMAIN THE SAME,
7 BUT SHOULD HAVE BEEN LISTED AS 7:00 A.M., NOT 8:00 A.M.

8 AND ON THE SECOND BULLET I WOULD LIKE TO
9 REMOVE THE TERM "PEAK." THAT TENDS TO CONFUSE THE ISSUE
10 WHEN WE TALK ABOUT MAXIMUM. SO THIS PERMIT DOES SPECIFY A
11 MAXIMUM OF 1200, NOT TO BE EXCEEDED ON ANY ONE DAY.

12 THAT'S PRETTY MUCH THE SCOPE OF WHAT THE
13 PERMIT WILL ACCOMPLISH.

14 ALL OF OUR FINDINGS HAVE BEEN MADE. THE
15 COUNTY DOES HAVE AN APPROVED INTEGRATED WASTE MANAGEMENT
16 PLAN. AN APPROPRIATE CEQA FINDING HAS BEEN MADE AND A
17 NEGATIVE DECLARATION WAS DONE. THE FINANCIAL ASSURANCES,
18 OPERATING LIABILITY, AND CLOSURE AND POST-CLOSURE
19 MAINTENANCE PLAN ARE ALL IN ORDER.

20 AND STAFF WOULD RECOMMEND THAT THE BOARD
21 ADOPT DECISION NO. 1999-210, CONCURRING IN THE ISSUANCE OF
22 PERMIT NO. 27-AA-0010 FOR THE MONTEREY PENINSULA LANDFILL.

23 STAN CHOW (PHON) WITH THE MONTEREY COUNTY
24 ENVIRONMENTAL HEALTH DIVISION, OUR LOCAL ENFORCEMENT AGENCY,

1 IS HERE IF YOU HAVE ANY QUESTIONS. AND ALSO WILLIAM MARY
2 FROM THE MONTEREY REGIONAL WASTE MANAGEMENT DISTRICT IS
3 HERE, AND AT THE APPROPRIATE TIME WOULD JUST LIKE TO MAKE A
4 COMMENT.

5 CHAIRMAN EATON: ALL RIGHTY. QUESTIONS OR
6 COMMENTS OF STAFF?

7 OKAY. HEARING NONE, PERHAPS THE COMMENT FROM
8 THE GENTLEMAN FROM THE WASTE AUTHORITY. IF YOU WOULDN'T
9 MIND STATING YOUR NAME FOR THE RECORD, AS WELL.

10 MR. MARY: THANK YOU. MY NAME IS WILLIAM MARY,
11 I'M THE DISTRICT ENGINEER FOR THE MONTEREY REGIONAL WASTE
12 MANAGEMENT DISTRICT.

13 I WOULD LIKE TO JUST EXPRESS MY APPRECIATION
14 TO THE BOARD, THE STAFF AT THE
15 BOARD AND COUNTY HEALTH DEPARTMENT. THESE PERMITS, YOU
16 KNOW, WE STARTED WORKING ON THEM THREE YEARS AGO TO GET THEM
17 IN ORDER, AND IT'S VERY TIME-CONSUMING, A LOT OF DETAIL IN
18 THERE, AND I COMMENT YOUR STAFF AND THE COUNTY STAFF FOR
19 THEIR GOOD WORK. WE ENJOY A GOOD WORKING RELATIONSHIP.
20 THANK YOU.

21 CHAIRMAN EATON: THANK YOU.

22 MEMBER JONES: MR. CHAIRMAN?

23 CHAIRMAN EATON: MR. JONES.

24 MEMBER JONES: I'D LIKE TO MOVE RESOLUTION 1999-

1 210, WITH A CONCURRENCE IN THE REVISED PERMIT.

2 CHAIRMAN EATON: ALL RIGHT. SECOND?

3 MEMBER PENNINGTON: I'LL SECOND IT.

4 CHAIRMAN EATON: ALL RIGHT. MR. JONES MOVES AND
5 MR. PENNINGTON SECONDS THAT WE ADOPT RESOLUTION 1999-210.

6 AND IN KEEPING WITH THE POLICY AS IT RELATES
7 TO PERMITS, RATHER THAN SUBSTITUTING A ROLL CALL WE'LL GO
8 THROUGH THE ROLL CALL QUICKLY.

9 THE SECRETARY: BOARD MEMBERS JONES?

10 MEMBER JONES: AYE.

11 THE SECRETARY: PENNINGTON?

12 MEMBER PENNINGTON: AYE.

13 THE SECRETARY: ROBERTI?

14 MEMBER ROBERTI: AYE.

15 THE SECRETARY: CHAIRMAN EATON?

16 CHAIRMAN EATON: AYE.

17 //

18 AGENDA ITEM 3: CONSIDERATION OF A REVISED SOLID WASTE
19 FACILITY PERMIT FOR THE ELDER CREEK RECOVERY AND TRANSFER
20 STATION, SACRAMENTO COUNTY

21 CHAIRMAN EATON: CONSIDERATION OF A REVISED SOLID
22 WASTE FACILITY PERMIT FOR THE ELDER CREEK RECOVERY AND
23 TRANSFER STATION IN SACRAMENTO COUNTY.

24 MS. COYLE: GOOD MORNING MR. CHAIRMAN AND MEMBERS,

1 I'M MARY COYLE WITH PERMITTING AND ENFORCEMENT DIVISION.

2 THE ELDER CREEK TRANSFER STATION IS AN
3 EXISTING FACILITY, IT WAS ORIGINALLY PERMITTED AND A 1995
4 PERMIT ALLOWED FOR THE FACILITY TO ACCEPT 500 TONS OF
5 MATERIAL PER DAY FOR RECOVERY, TRANSFER AND COMPOSTING. THE
6 ORIGINAL PERMIT WAS ISSUED TO L&D RECYCLING.

7 THE NEW OPERATOR IS PROPOSING TO REVISE THE
8 PERMIT TO REFLECT THE FOLLOWING CHANGES. THE PERMITTED
9 DAILY PEAK TONNAGE WILL BE INCREASED FROM 500 TONS A DAY TO
10 2,000 TONS A DAY. ALL EXISTING ON-SITE STRUCTURES WILL BE
11 ELIMINATED AND A NEW MATERIAL RECOVERY AND TRANSFER BUILDING
12 WILL BE CONSTRUCTED TO HANDLE THE INCREASE IN TONNAGE. THE
13 FACILITY WILL NO LONGER BE PERMITTED FOR COMPOSTING. THE
14 ENTRANCE AND EXIT ROAD WILL BE RELOCATED. THE OUTDOOR
15 PROCESSING AREA FOR GREEN MATERIAL AND WOOD WASTE WILL NOW
16 INCLUDE RECOVERY OF C&D MATERIAL. CALIFORNIA WASTE RECOVERY
17 IS NOW THE CURRENT OWNER AND OPERATOR. AN EXISTING FENCE
18 WILL BE REPLACED WITH A MASONRY WALL. AND THE HOURS HAVE
19 CHANGED.

20 ALL THE REQUIRED FINDINGS HAVE BEEN MADE AND
21 BOARD STAFF RECOMMEND THAT THE BOARD ADOPT RESOLUTION 1999-
22 207, CONCURRING IN THE ISSUANCE OF THE PROPOSED PERMIT.

23 CHAIRMAN EATON: ANY QUESTIONS OR COMMENTS?

24 MS. NAUMAN: MR. CHAIRMAN, IF I MIGHT JUST CLARIFY

1 FOR YOU? THIS IS JULIE NAUMAN, DEPUTY DIRECTOR OF THE
2 PERMITTING AND ENFORCEMENT DIVISION.

3 ON PAGE 3-2 OF YOUR STAFF REPORT, KEY ISSUES,
4 ITEM NO. 1 MAKES A REFERENCE TO PERMITTED PEAK DAILY
5 TONNAGE, THAT'S REALLY INCORRECT TERMINOLOGY. IT SHOULD BE
6 PERMITTED MAXIMUM DAILY TONNAGE, IF YOU LOOK AT THE PERMIT
7 ITSELF ON 3-6 THE REFERENCE IS TO MAXIMUM DAILY TONNAGE.
8 AND WE'RE WORKING TOWARD MORE CONSISTENCY IN THE TERMINOLOGY
9 THAT WE'RE USING ON TONNAGES.

10 CHAIRMAN EATON: THANK YOU, WE GREATLY APPRECIATE
11 IT.

12 MEMBER JONES: MR. CHAIRMAN?

13 CHAIRMAN EATON: MR. JONES.

14 MEMBER JONES: BEFORE I MAKE THE RESOLUTION,
15 ANYBODY THAT'S EVER VISITED THE LODI MATERIAL RECOVERY
16 FACILITY THAT MR. VACQUEREZ (PHON) AND HIS SISTER BUILT DOWN
17 THERE BEFORE HE SOLD IT AND BECAME RICHER, KNOWS THAT THAT'S
18 AN ETHIC OF MATERIAL RECOVERY THAT'S BEEN PASSED DOWN FROM
19 HIS FATHER TO HIM AND PROBABLY GOING ON TO HIS SONS.

20 SO I WANT TO MOVE RESOLUTION 1999-207.

21 MEMBER PENNINGTON: I'LL SECOND IT.

22 CHAIRMAN EATON: ALL RIGHTY. MR. JONES MOVES, MR.
23 PENNINGTON SECONDS, THAT WE ADOPT RESOLUTION 1999-207.

24 MADAM SECRETARY, PLEASE CALL THE ROLL.

1 THE SECRETARY: BOARD MEMBERS JONES?

2 MEMBER JONES: AYE.

3 THE SECRETARY: PENNINGTON?

4 MEMBER PENNINGTON: AYE.

5 THE SECRETARY: ROBERTI?

6 MEMBER ROBERTI: AYE.

7 THE SECRETARY: CHAIRMAN EATON?

8 CHAIRMAN EATON: AYE.

9 AGENDA ITEM 4: CONSIDERATION OF THE ISSUANCE OF A
10 REVISED MAJOR WASTE TIRE FACILITY PERMIT FOR TOTAL TIRE
11 RECYCLING, LLC, SACRAMENTO COUNTY

12 CHAIRMAN EATON: ITEM NO. 4, CONSIDERATION OF A
13 REVISED MAJOR TIRE FACILITY PERMIT FOR TOTAL TIRE RECYCLING,
14 LLC, IN SACRAMENTO COUNTY.

15 MR. SMITH: MR. CHAIRMAN, BOARD MEMBERS, ITEM NO.
16 4 REGARDS THE CONSIDERATION OF A REVISED MAJOR WASTE TIRE
17 FACILITY PERMIT FOR TOTAL TIRES. TERRY SMITH.

18 THE FACILITY IS LOCATED AT 8588 THYS COURT IN
19 SACRAMENTO COUNTY.

20 I WANT TO POINT OUT AN ERROR IN THE PERMIT
21 RIGHT NOW. I HAVE THE -- IN BOXES NINE, 10 AND 11 IT SAYS
22 THE 26TH AND IT SHOULD SAY THE 27TH. WE'LL CHANGE THAT, AND
23 I WANTED TO POINT THAT OUT. AS A MATTER OF FACT, I THOUGHT
24 THE MEETING WAS THE 26TH FOR A WHILE.

1 OKAY. TOTAL TIRE RECYCLING WAS FIRST ISSUED
2 A MAJOR WASTE TIRE FACILITY PERMIT ON JULY 23RD, 1997. THE
3 FACILITY WAS OWNED AND OPERATED BY GARY MATRANGA. ON
4 JANUARY 4TH, 1999, MR. MATRANGA ENTERED INTO A LEASE
5 AGREEMENT WITH TOTAL TIRE RECYCLING, LIMITED LIABILITY
6 COMPANY, OR CORPORATION, LEASING THE FACILITY AND OPERATIONS
7 ASSOCIATED WITH THE FACILITY TO THE TOTAL TIRE RECYCLING,
8 LLC.

9 NEITHER REGULATIONS NOR TIRE LAW DELINEATE
10 PROTOCOL FOR CHANGE IN OPERATORS AT A WASTE TIRE FACILITY.
11 IN SOLID WASTE LAW, IN PUBLIC RESOURCES CODE 44005, A CHANGE
12 IN OPERATOR CAN BE HANDLED ADMINISTRATIVELY PROVIDED THAT
13 CERTAIN PROTOCOL IS MET.

14 THIS PERMIT IS BEING REVISED TO REFLECT THE
15 CHANGE IN OPERATOR. WASTE TIRE PERMIT REGULATIONS THAT
16 SPECIFICALLY ADDRESS PROCEDURES FOR TRANSFERRING IN
17 OWNERSHIP OR OPERATOR OF A WASTE TIRE FACILITY PERMIT WILL
18 SOON BE CONSIDERED BY THE BOARD. THE REGULATIONS ARE
19 SIMILAR TO THE SOLID WASTE LAW THAT IS CURRENTLY IN PLACE.
20 THEREFORE, THIS RECOMMENDATION -- OR, RECOMMENDED PERMIT
21 REVISION IS NOT TO BE CONSIDERED A PRECEDENT-SETTING STEP
22 GUIDING FUTURE BOARD DECISIONS ON WASTE TIRE PERMITS.

23 MR. MICHAEL BURNS REPRESENTING TOTAL TIRE
24 RECYCLING FIRST APPROACHED STAFF REQUESTING GUIDANCE ON THE

1 PROPOSED OPERATOR CHANGE AT TOTAL TIRES BACK IN DECEMBER OF
2 1998. STAFF INFORMED MR. BURNS THAT HE WOULD HAVE TO
3 INCLUDE WITH HIS APPLICATION AN UPDATED FIRE DEPARTMENT
4 CLEARANCE, VECTOR CONTROL APPROVALS, AND PROVIDE ACCEPTABLE
5 FINANCIAL ASSURANCE MECHANISMS FOR CLOSURE AND OPERATING
6 LIABILITY.

7 STAFF HAVE REVIEWED THE SUBMITTED APPLICATION
8 AND DETERMINED THAT ALL OF THE REQUIREMENTS TO OBTAIN A
9 MAJOR WASTE TIRE FACILITY PERMIT ARE THERE AND HAVE BEEN
10 SATISFIED, INCLUDING THE FIRE STANDARDS FOR INDOOR AND
11 OUTDOOR STORAGE OF RUBBER TIRES, FINANCIAL ASSURANCE AND
12 OPERATING LIABILITY REQUIREMENT, STATE MINIMUM STANDARDS FOR
13 TIRE STORAGE, AND THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

14 IN CONCLUSION, STAFF RECOMMEND THAT THE BOARD
15 ADOPT PERMIT DECISION NO. 1999-213, APPROVING THE ISSUANCE
16 OF WASTE TIRE FACILITY PERMIT NO. 34-TI-0598.

17 MR. MICHAEL BURNS REPRESENTING TOTAL TIRE
18 RECYCLING IS PRESENT AND AVAILABLE TO ANSWER QUESTIONS.
19 THIS CONCLUDES STAFF PRESENTATION.

20 CHAIRMAN EATON: ANY QUESTIONS OF STAFF? OKAY.
21 I'LL ENTERTAIN A MOTION -- SINCE MR. ROBERTI'S OUT OF THE
22 ROOM WE'LL JUST -- WE'LL GO AHEAD, WE'LL GO THROUGH IT --

23 MEMBER PENNINGTON: I'LL MOVE THE MOTION --

24 CHAIRMAN EATON: -- AND PUT THE VOTE ON CALL.

1 MEMBER PENNINGTON: FINE.

2 CHAIRMAN EATON: IF THAT'S OKAY WITH THE BOARD
3 MEMBERS.

4 MEMBER PENNINGTON: SURE. I'LL MOVE RESOLUTION --
5 ADOPTION OF RESOLUTION 1999-213.

6 CHAIRMAN EATON: OKAY.

7 MEMBER JONES: I'LL SECOND.

8 CHAIRMAN EATON: OKAY. MR. PENNINGTON MOVES AND
9 MR. JONES SECONDS THAT WE ADOPT RESOLUTION 1999-213.

10 MADAM SECRETARY, PLEASE CALL THE ROLL.

11 THE SECRETARY: BOARD MEMBERS JONES?

12 MEMBER JONES: AYE.

13 THE SECRETARY: PENNINGTON?

14 MEMBER PENNINGTON: AYE.

15 THE SECRETARY: ROBERTI?

16 MEMBER ROBERTI: (NOT PRESENT.)

17 THE SECRETARY: CHAIRMAN EATON?

18 CHAIRMAN EATON: AYE.

19 ALL RIGHTY, WE'LL PUT THAT ITEM ON CALL UNTIL
20 MR. ROBERTI IS ABLE TO COME BACK INTO THE ROOM.

21 MR. BURNS: MR. CHAIRMAN, DO YOU WANT ME TO REMAIN
22 HERE AT THE FACILITY UNTIL --

23 CHAIRMAN EATON: I DON'T HAVE A SLIP, MR. BURNS.

24 MR. BURNS: OH, I'M SORRY.

1 CHAIRMAN EATON: AND YOU'VE BEEN HERE AS A USUAL
2 SUSPECT, SO.

3 MEMBER JONES: I'D HANG AROUND.

4 CHAIRMAN EATON: JUST IN CASE.

5 MEMBER JONES: JUST IN CASE.

6 CHAIRMAN EATON: YEAH. BUT WE'RE GOING TO MOVE
7 THROUGH THE AGENDA ITEM AND WE'LL COME BACK TO THAT AND GIVE
8 YOU AN OPPORTUNITY TO -- IF THERE ARE ANY QUESTIONS, OR IF
9 YOU CARE TO COMMENT.

10 AGENDA ITEM 5: CONSIDERATION OF GRANT AWARDS FOR THE
11 FISCAL YEAR 1998-99 WASTE TIRE ENFORCEMENT GRANT PROGRAM

12 CHAIRMAN EATON: ITEM NO. 5, CONSIDERATION OF
13 GRANT AWARDS FOR THE FISCAL YEAR 1998-99 WASTE TIRE
14 ENFORCEMENT GRANT PROGRAM.

15 MS. HAPBERSBERGER: GOOD MORNING CHAIRMAN, BOARD
16 MEMBERS, I'M SUE HAPBERSBERGER WITH THE LEA SUPPORT SERVICES
17 BRANCH.

18 AGENDA ITEM 5 IS CONSIDERATION OF GRANT
19 AWARDS FOR THE FISCAL YEAR '98-99 WASTE TIRE ENFORCEMENT
20 GRANT PROGRAM.

21 THIS IS THE THIRD YEAR OF THIS PROGRAM.
22 \$500,000 WAS AWARDED FOR THIS '98-99 GRANT CYCLE. OVER 500
23 NOTICES OF FUNDING AVAILABILITY WERE SENT TO LEAS AND CITY
24 AND COUNTY ADMINISTRATORS. NINE APPLICATIONS WERE RECEIVED

1 TOTALING \$356,325.06. EACH OF THE NINE APPLICANTS APPLIED
2 FOR THE INSPECTION AND COMPLIANCE PROGRAM WHICH ALSO
3 INCLUDES SURVEILLANCE ACTIVITIES.

4 THE REMAINING FUNDS, \$143,674.94, HAVE BEEN
5 ALLOCATED TO AUGMENT THE INTERAGENCY AGREEMENT THE BOARD HAS
6 WITH THE CHP FOR WASTE TIRE ENFORCEMENT.

7 AN ITEM HAS GONE BEFORE THE BOARD FOR
8 APPROVAL OF THE WASTE TIRE ENFORCEMENT GRANT CRITERIA EACH
9 GRANT CYCLE, AND THERE HAS BEEN NO CHANGE IN THE CRITERIA
10 SINCE THE ONSET OF THIS PROGRAM. HOWEVER, STAFF WILL BE
11 REVIEWING THE CRITERIA FOR CONSISTENCY WITH AB 117
12 RECOMMENDATIONS AND TO SEE IF THE CRITERIA NEED TO BE
13 MODIFIED TO INCREASE INTEREST IN THE PROGRAM.

14 IN EACH OF THE THREE GRANT CYCLES THERE WAS
15 ADEQUATE FUNDING ALLOCATED TO SATISFY ALL WASTE TIRE
16 ENFORCEMENT GRANT REQUESTS THAT MET THE MINIMUM SCORING
17 CRITERIA REQUIREMENTS. THEREFORE, NO QUALIFIED REQUESTS
18 HAVE BEEN TURNED DOWN TO DATE.

19 STAFF RECOMMENDS OPTION 1, AWARDING THESE
20 NINE WASTE TIRE ENFORCEMENT GRANTS. THIS CONCLUDES MY
21 PRESENTATION.

22 CHAIRMAN EATON: ANY QUESTIONS? I JUST HAVE ONE.
23 IN OTHER WORDS, WE HAVE NINE AWARDEES. CORRECT?

24 MS. HAPPERSBERGER: YES.

1 CHAIRMAN EATON: AND WE ALLOCATED 500,000?

2 MS. HAPPERSBERGER: YES.

3 CHAIRMAN EATON: OKAY. SO THERE'S A RESIDUAL,
4 BOARD MEMBERS, AS WE GET INTO REALLOCATIONS AND THINGS OF
5 THAT NATURE, JUST SO --

6 MS. NAUMAN: MR. CHAIRMAN, AT YOUR LAST MEETING
7 WHEN WE TOOK UP THE TIRE FUND REALLOCATION ITEM THIS
8 RESIDUAL WAS INCLUDED IN THAT.

9 CHAIRMAN EATON: OKAY. SO --

10 MS. NAUMAN: AND YOU CHOSE TO MOVE THAT -

11 CHAIRMAN EATON: RIGHT. BUT THAT'S NOT IN THIS ITEM.

12 MS. NAUMAN: IT'S NOT IN THIS ITEM.

13 CHAIRMAN EATON: OKAY.

14 MS. NAUMAN: BUT THAT WAS JUST KIND OF AN
15 INFORMATION POINT THAT WE -- YOU HAVE ALREADY ACTED ON THAT
16 RESIDUAL.

17 CHAIRMAN EATON: CORRECT. SO THERE IS NO
18 ADDITIONAL MONEY. ALL RIGHT.

19 MR. JONES.

20 MEMBER JONES: MR. CHAIRMAN, I'D LIKE TO MOVE
21 RESOLUTION 1999-212.

22 MEMBER PENNINGTON: MR. CHAIRMAN, I WONDER IF THE
23 MAKER WOULD MIND, THAT I'D LIKE TO SEE THE RESOLUTION
24 INCLUDE THE NAMES AND THE AMOUNT OF FUNDS IN THE RESOLUTION

1 ITSELF.

2 CHAIRMAN EATON: I THINK THAT'S A VERY GOOD IDEA,
3 MR. PENNINGTON, AN EXCELLENT SUGGESTION.

4 MEMBER PENNINGTON: I'LL SECOND THE REVISED
5 MOTION.

6 CHAIRMAN EATON: OKAY. MR. JONES MOVES AND MR.
7 PENNINGTON SECONDS THAT RESOLUTION 1999-212 BE ADOPTED WITH
8 THE FOLLOWING AMENDMENT: THAT EACH OF THE AWARDEES AND THE
9 AMOUNT OF MONIES AWARDED THEREIN BE SPECIFICALLY SPECIFIED
10 IN RESOLUTION 1999-212.

11 MADAM SECRETARY, PLEASE CALL THE ROLL.

12 THE SECRETARY: BOARD MEMBERS JONES?

13 MEMBER JONES: AYE.

14 THE SECRETARY: PENNINGTON?

15 MEMBER PENNINGTON: AYE.

16 THE SECRETARY: ROBERTI?

17 MEMBER ROBERTI: AYE.

18 THE SECRETARY: CHAIRMAN EATON?

19 CHAIRMAN EATON: AYE.

20 OKAY, ITEM NO. 6.

21 MEMBER JONES: MR. CHAIRMAN?

22 CHAIRMAN EATON: MR. JONES.

23 MEMBER JONES: COULD YOU INFORM SENATOR ROBERTI
24 ABOUT THE ON-CALL VOTE ON TOTAL TIRE?

1 CHAIRMAN EATON: YES.

2 MEMBER JONES: THANK YOU.

3 CHAIRMAN EATON: I THINK THE STAFF'S DOING THAT
4 NOW.

5 MEMBER JONES: OH, SORRY.

6 CHAIRMAN EATON: I WAS GOING TO COME BACK TO THAT
7 AT THE END. BUT IF YOU'D LIKE TO I'D BE HAPPY TO DO IT NOW.

8 MEMBER JONES: OKAY. NO, NO, YOU'RE THE CHAIRMAN,
9 GO, WHATEVER.

10 AGENDA ITEM 6: PUBLIC HEARING FOR THE PROPOSED
11 PERMANENT REGULATIONS TO CONTINUE SUBTITLE D FLEXIBILITIES
12 (40 CFR, PART 258) FOR SMALL LANDFILLS, AND BOARD
13 CONSIDERATION OF THE ADOPTION OF THE NEGATIVE DECLARATION
14 AND THE PROPOSED REGULATIONS

15 CHAIRMAN EATON: ITEM NO. 6.

16 MS. ANDERSON: ITEM NO. 6. THIS IS SHARON
17 ANDERSON, THE BRANCH MANAGER FOR LEA SUPPORT SERVICES. THE
18 STAFF WHO PREPARED THE ITEM IS ON VACATION TODAY SO I'M
19 GOING TO GO AHEAD AND GIVE IT.

20 THIS ITEM PRESENTS TO YOU OUR PROPOSED
21 REGULATIONS TO IMPLEMENT FEDERAL SUBTITLE D FLEXIBILITIES.
22 THESE REGS HAVE ACTUALLY BEEN ON THE BOOKS AS EMERGENCY REGS
23 FOR SOME TIME.

24 THIS MEETING SERVES ALSO AS THE PUBLIC

1 HEARING FOR THE REGULATIONS AND AT THE END OF THE PUBLIC
2 HEARING, OR AT THE END OF THIS ITEM, HEARING NO -- IF THERE
3 ARE NO PARTIES HERE TO SPEAK ON THE REGULATIONS, THEN WE
4 WOULD ASK THAT YOU WOULD APPROVE THE RESOLUTIONS TO APPROVE
5 THE REGS, AND ALSO TO APPROVE THE NEGATIVE DECLARATION THAT
6 WE DO WITH EVERY RULE-MAKING PACKAGE.

7 DO YOU HAVE ANY QUESTIONS ON THESE
8 REGULATIONS?

9 CHAIRMAN EATON: ANY QUESTIONS OF STAFF?

10 MEMBER PENNINGTON: MR. CHAIRMAN, I'D BE HAPPY TO
11 MOVE ADOPTION OF RESOLUTION 1999-211.

12 CHAIRMAN EATON: ALL RIGHT. A SECOND?

13 MEMBER JONES: I'LL SECOND IT.

14 CHAIRMAN EATON: ALL RIGHT. MR. PENNINGTON MOVES
15 AND MR. JONES SECONDS THAT WE ADOPT RESOLUTION 1999-211.

16 MADAM SECRETARY, PLEASE CALL THE ROLL.

17 THE SECRETARY: BOARD MEMBERS JONES?

18 MEMBER JONES: AYE.

19 THE SECRETARY: PENNINGTON?

20 MEMBER PENNINGTON: AYE.

21 THE SECRETARY: ROBERTI?

22 MEMBER ROBERTI: AYE.

23 THE SECRETARY: CHAIRMAN EATON?

24 CHAIRMAN EATON: AYE.

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1 ITEM NO. 7.

2 MS. ANDERSON: WELL, ACTUALLY ONE MORE, ONE MORE
3 RESOLUTION.

4 CHAIRMAN EATON: OH, ONE MORE, I KNOW.

5 MEMBER PENNINGTON: I'LL MOVE ADOPTION OF
6 RESOLUTION 1999-224.

7 MEMBER JONES: I'LL SECOND.

8 CHAIRMAN EATON: ALL RIGHT. MR. PENNINGTON MOVES
9 AND MR. JONES SECONDS THAT WE ADOPT RESOLUTION 1999-224.

10 MADAM SECRETARY, PLEASE CALL THE ROLL.

11 THE SECRETARY: BOARD MEMBERS JONES?

12 MEMBER JONES: AYE.

13 THE SECRETARY: PENNINGTON?

14 MEMBER PENNINGTON: AYE.

15 THE SECRETARY: ROBERTI?

16 MEMBER ROBERTI: AYE.

17 THE SECRETARY: CHAIRMAN EATON?

18 CHAIRMAN EATON: AYE.

19 AGENDA ITEM 7: CONSIDERATION OF NEW SITES FOR THE
20 SOLID WASTE DISPOSAL AND CODISPOSAL CLEANUP PROGRAM (AB
21 2136)

22 CHAIRMAN EATON: ITEM NO. 7, CONSIDERATION OF NEW
23 SITES FOR SOLID WASTE DISPOSAL AND CO-DISPOSAL SITE CLEANUP
24 PROGRAM AB 2136.

1 MEMBER JONES: MR. CHAIRMAN?

2 CHAIRMAN EATON: MR. JONES.

3 MEMBER JONES: AS AN INTRODUCTION TO THIS ITEM,
4 THIS IS THE -- MR. WALKER'S GOING TO BE PRESENTING A LITTLE
5 DIFFERENT SLANT ON A GRANT AGREEMENT WITH THE COUNTY OF SAN
6 BERNARDINO. UNDER THE DIRECTION OF THE BOARD CHAIR I TOOK
7 AN ACTIVE LEAD IN THE NEGOTIATIONS ON THIS CLEANUP OF THE EL
8 CAJON PASS WITH THE COUNTY.

9 THERE ARE SOME UNIQUE PIECES TO THIS CLEANUP
10 IN THAT THIS IS A SITE THAT CAME TO US THAT IS IN A
11 WATERWAY, AND A LAND OWNER ILLEGALLY ACCEPTED MATERIAL, MOST
12 OF IT C&D WASTE, INERT WASTE, BUT AN AWFUL LOT OF ORGANICS
13 THAT HAS -- THE ORGANICS HAVE DONE WHAT ORGANICS DO, AND
14 CAUGHT ON FIRE.

15 THERE IS A PROBLEM BECAUSE 70 RESPONSIBLE
16 PARTIES WENT IN AND DUMPED THIS MATERIAL THERE. THE PROJECT
17 PROBABLY IS GOING TO COST SOMEWHERE BETWEEN \$2 AND \$3
18 MILLION, DEPENDING UPON HOW SMART WE ARE AND HOW WE DO IT.
19 THERE'S GOT TO BE SIGN-OFF FROM AN AWFUL LOT OF PEOPLE.

20 WHAT WE NEGOTIATED WITH THE COUNTY IS THAT,
21 IN FACT, THROUGH OUR GRANT PROGRAM WE CAN ONLY GO TO
22 \$750,000. WE ARE GOING TO INCLUDE RESPONSIBLE PARTIES, WE
23 ARE GOING TO HAVE HEARINGS. THE ATTORNEY GENERAL'S OFFICE
24 IS INVOLVED, COUNTY COUNSEL IS INVOLVED, AS WELL AS OUR

1 COUNSEL.

2 I THINK THE CHAIRMAN OF THE BOARD OF
3 SUPERVISORS, JOHN MICHAELS, AND MYSELF ARE GOING TO BE IN
4 ATTENDANCE IN THAT MEETING WHEN THESE RESPONSIBLE PARTIES
5 COME FORWARD. AND AS LONG AS WE GET THEM IN TO THIS,
6 WHETHER THROUGH IN-KIND SERVICES AS PART OF THEIR FINE, OR
7 TAKING RESPONSIBILITY FOR THIS -- FOR THEIR ILLEGAL DUMPING,
8 OR IN ACTUAL FINES -- OUR ABILITY TO HAVE THEM AS PRINCIPAL
9 RESPONSIBLE PARTIES DRIVES THE COST OF THIS PROGRAM DOWN OR
10 HELPS PROVIDE AN INCREMENT OF THIS PROGRAM FUNDING THAT
11 MAKES IT DOABLE.

12 THIS IS A TWO AND A HALF TO \$3 MILLION
13 PROJECT THAT WE COULDN'T FUND, AND THE COUNTY ISN'T IN A
14 POSITION TO FUND, SO WE HAD TO GET CREATIVE. I WANTED TO
15 LAY THAT OUT BECAUSE WHAT YOU SEE HERE IS CRITICALLY
16 IMPORTANT TO A DIFFERENT WAY OF DOING A 2136 CLEANUP. AND
17 IN LIGHT OF WHAT HAPPENED IN SAN FRANCISCO ON ONE OF MY
18 FAVORITE PROJECTS, THIS PROGRAM WILL NOT -- WHILE WE'RE
19 ALLOCATING THE DOLLARS, UNTIL ALL OF THE PIECES ARE IN
20 PLACE, THIS -- AND THEN THE ITEM WILL COME BACK TO US
21 SHOWING THAT EVERY ITEM IS IN PLACE SO WE COULD SUCCESSFULLY
22 DO THIS WE WON'T GO FORWARD.

23 SO THERE IS A BURDEN ON THE COUNTY, THERE IS
24 A BURDEN ON THE ATTORNEYS, THERE'S A BURDEN ON US TO MAKE

1 SURE THAT ALL THE RESPONSIBLE PARTIES ARE HELD ACCOUNTABLE
2 ON THIS.

3 IT IS IN A WATERWAY, IT IS IN AN AREA THAT IS
4 -- THERE'S AN ENVIRONMENTAL IMPACT IF WE DON'T ACT.

5 SCOTT, I HATE TO TAKE AWAY ALL OF YOUR
6 PRESENTATION, BUT I THINK IT'S IMPORTANT THAT THE BOARD
7 MEMBERS ALL UNDERSTAND WHAT WE'RE DOING HERE.

8 THE OTHER ELEMENT IS ON THE COST RECOVERY.
9 IT HAS BEEN AGREED TO THAT PROPORTIONATELY COUNTY FUNDS OR
10 IN-KIND AND STATE FUNDS, ALL THOSE RECOVERED DOLLARS ON THIS
11 PROGRAM WILL BE DIVVIED UP IN AN EQUATION THAT MATCHES OUR
12 ACTUAL DOLLAR AMOUNTS. SO IF WE ARE 40% OF THE FUNDING AND
13 THEY'RE 60, COST RECOVERY WILL BE SPLIT 60/40.

14 SO WE'VE GOT, I THINK, EVERY PIECE PUT IN
15 PLACE HERE SO THAT WE CAN KEEP THE INTEGRITY OF THIS PROGRAM
16 GOING, DEAL WITH COST RECOVERY, HELP THE COUNTY OUT, AS LONG
17 AS THEY DO THEIR PIECES, WE'LL DO OUR PIECES. IF THEY DON'T
18 THIS THING EXPIRES AND WE DON'T -- WE PULL THE FUNDS BACK.

19 THAT NEEDED TO BE SAID, SCOTT, SORRY.

20 MR. WALKER: GOOD MORNING CHAIRMAN EATON AND
21 MEMBERS OF THE BOARD, SCOTT WALKER, PERMITTING AND
22 ENFORCEMENT DIVISION. I'M NOT GOING TO ADD TOO MUCH --
23 WELL, I'M GOING TO FILL IN MAYBE A LITTLE BIT MORE DETAILS
24 ON THAT PRESENTATION BY STEVE JONES.

1 THE SITE IS LOCATED ON PRIVATE PROPERTY JUST
2 WEST OF HIGHWAY 15 IN THE CAJON PASS, IT'S ALSO CALLED DIVOR
3 (PHON) UNINCORPORATED AREA OF SAN BERNARDINO COUNTY.

4 AN ESTIMATED 200,000 CUBIC YARDS OF
5 LANDSCAPING WASTE, TREES, RAILROAD TIES, TELEPHONE POLES AND
6 VARIOUS CONSTRUCTION AND DEMOLITION DEBRIS MATERIALS HAS
7 BEEN ILLEGALLY DISPOSED AT THIS SITE. THE PROPERTY OWNER
8 HAD APPARENTLY BEEN ACCEPTING THESE WASTES FROM VARIOUS
9 HAULERS TO ILLEGALLY EXTEND THE PROPERTY GRADING.

10 THE COUNTY FIRST DETERMINED THE VIOLATION AND
11 CITED THE PROPERTY OWNER IN NOVEMBER OF 1998, THE DUMPING
12 HAD APPARENTLY BEEN GOING ON FOR PROBABLY IN EXCESS OF A
13 YEAR OR TWO.

14 ON DECEMBER 31ST, 1998, THE COUNTY RESPONDED
15 TO REPORTS THAT THE ILLEGAL DISPOSAL SITE WAS ON FIRE. THE
16 FIRE IS A COMPLEX UNDERGROUND LANDFILL FIRE, AND IT COULD
17 NOT BE COMPLETELY PUT OUT USING CONVENTIONAL METHODS. THERE
18 IS SIGNIFICANT CONCERN THAT THE FIRE HAS THE POTENTIAL TO
19 SPREAD TO ADJACENT WILD LANDS, AND POTENTIALLY SHUT DOWN
20 ADJACENT POWER LINES, HIGHWAY 15, AND THE MAJOR RAIL LINE
21 THAT PASSES THROUGH THE AREA. IN JANUARY THE COUNTY BOARD
22 OF SUPERVISORS DECLARED A STATE OF EMERGENCY BECAUSE OF THIS
23 SITE.

24 AS SHOWN IN THIS SLIDE, AND TO ADD TO STEVE'S

1 COMMENTS, THIS ILLEGAL SITE IS PLACED DIRECTLY INTO THE
2 CAJON WASH (PHON) STREAM CHANNEL. THE STREAM CURRENTLY
3 MEANDERS TO THE EDGE OF THE FILL AREA AT A PORTION OF THE
4 SITE, AND IS GENERALLY WITHIN 500 FEET OF THIS SITE.

5 SURFACE AND GROUND WATER FROM THE WASH IS A
6 MAJOR SOURCE OF WATER SUPPLY TO MANY RESIDENCES AND
7 BUSINESSES OF THE SAN BERNARDINO VALLEY, AND THIS AREA ALSO
8 HAS VERY SIGNIFICANT ECOLOGICAL IMPORTANCE.

9 THE FIRE HAS SIGNIFICANTLY SPREAD SINCE THE
10 INITIAL REPORTS. THIS PHOTO WAS TAKEN IN JANUARY. AND
11 THERE IS ALSO SOME CONCERN WITH THE COMING SUMMER SEASON OF
12 POTENTIAL FLARE-UPS AND SPREAD. RECENT SITE VISITS CONFIRM
13 THAT THERE'S EXTENSIVE CRACKING AND VENTING OF SMOKE AT THE
14 TOP OF THE FILL AND CONTINUING SLOUGHING OF THE WASTE INTO
15 THE WASH.

16 A PROJECT PROPOSAL. BASICALLY STAFF FROM THE
17 COUNTY AND THE BOARD HAVE CONCLUDED, IN CONSULTATION WITH
18 OTHER AGENCIES INCLUDING THE REGIONAL BOARD, THAT THE
19 CLEANUP OF THIS SITE REALLY NEEDS TO INCLUDE THE FOLLOWING
20 TASKS WHICH ADDRESSES BASICALLY COMPLETE REMOVAL OF THE
21 MATERIAL WHICH IS SUBJECT TO THE FIRE.

22 BASICALLY THE PROJECT WOULD INVOLVE
23 PREPARATORY GRADING AND TEMPORARY DIVERSION OF THE CREEK.
24 ALL FIRE SUPPRESSION WOULD BE CONDUCTED BY THE COUNTY OF THE

1 WASTE AS THEY'RE BEING EXCAVATED. THE ORGANIC WASTE WOULD
2 BE SEGREGATED AND REMOVED FOR LOAD AND HAUL TO OFF-SITE
3 DISPOSAL AND/OR END USE. WE ARE WORKING WITH THE COUNTY ON
4 END USE, AND PARTICULARLY ADC.

5 THERE IS AN ESTIMATE OF THE QUANTITY OF
6 ORGANIC MATERIALS TO REMOVE IS ABOUT 60,000 TONS. THE
7 MAJORITY OF THAT PORTION OF THE FILL AREA IS ON THE OUTWARD
8 PORTION OF THE SITE, SO AN EXCAVATION REMOVAL TYPE OPTION
9 SEEMS -- IS FEASIBLE.

10 THE ESTIMATED TOTAL COST FOR THE PROJECT IS
11 \$3.2 MILLION, AND WITH A TIPPING FEE WAIVER TO A MAXIMUM OF
12 \$15 PER TON FROM THE NORMAL \$33 PER TON, THIS WOULD BRING IT
13 DOWN TO ABOUT \$2.1 MILLION, A PRELIMINARY ESTIMATE.

14 JUST A RUN-THROUGH OF THE 2136 PROGRAM
15 CRITERIA. IN TERMS OF PUBLIC HEALTH AND SAFETY AND THE
16 ENVIRONMENT, THIS IS AN A-1 SITE PRIORITY, IT'S THE HIGHEST
17 PRIORITY WE HAVE. STAFF WOULD CONCLUDE THAT THERE'S
18 CONFIRMED POLLUTION, THERE ARE ALSO RESIDENCES AND A
19 PROTECTED-STATUS RIVER WITHIN 1,000 FEET OF THE ILLEGAL
20 FILL.

21 VIOLATIONS INCLUDE -- OF TITLE 27 INCLUDE
22 OPEN BURNING, DRAINAGE AND EROSION, NUISANCE AND SITE
23 SECURITY.

24 UNABLE AND UNWILLING CRITERIA HAS BEEN

1 ESTABLISHED BY THE COUNTY THROUGH ISSUANCE OF A NOTICE OF
2 VIOLATION TO THE PROPERTY OWNER. THE PROPERTY OWNER HAS NOT
3 BEEN DETERMINED TO HAVE SUFFICIENT ASSETS TO GO FORWARD AS
4 ELECTED, HAS REPLIED BACK THAT THEY CANNOT DO THE CLEANUP
5 PROJECT.

6 IN ADDITION, THE COUNTY, AS STEVE HAS
7 MENTIONED, IS PROCEEDING WITH LEGAL ACTION AGAINST
8 POTENTIALLY RESPONSIBLE PARTIES. THERE'S APPROXIMATELY 70
9 HAULS THAT HAVE BEEN PRELIMINARILY IDENTIFIED.

10 MAXIMIZATION OF AVAILABLE FUNDS. THERE IS
11 \$1.2 MILLION IN FISCAL YEAR '98-99 FUNDS THAT HAVE BEEN
12 ALLOCATED FOR THE AB 2136 LOANS OR GRANTS. BOARD STAFF
13 REVIEWED THE POTENTIAL FOR USE OF A LOAN IN THIS SITE, WHICH
14 A LOAN DOES NOT APPLY BECAUSE THE STATUTE RESTRICTS LOANS TO
15 RESPONSIBLE PARTIES. THE COUNTY IS NOT A RESPONSIBLE PARTY.

16 THE OTHER ASPECT OF MAXIMIZING THE FUNDS IS
17 THAT THE COST RECOVERY BY THE COUNTY WILL INCLUDE BOARD
18 COSTS. THERE WILL BE THE REQUIREMENT FOR AN AGREEMENT WITH
19 THE COUNTY ON COST RECOVERY. THERE APPEARS TO BE A --
20 SKETCHED OUT RIGHT NOW WITH REGARD TO THE PROPORTIONAL
21 COSTS, BUT THE COUNTY WOULD BE THE LEAD ON THE COST
22 RECOVERY.

23 THEREFORE, STAFF CONCLUDES THAT THE CRITERIA
24 HAS BEEN MET FOR AN AB 2136 PROGRAM MATCHING GRANT.

1 JUST A QUICK RUN-THROUGH ON THE PROPOSED
2 MATCHING GRANT. AND, AGAIN, THE COUNTY WOULD BE LEAD. THE
3 PROPOSED WASTE BOARD FUNDING WOULD BE UP TO \$750,000, WHICH
4 REPRESENTS THE BOARD'S POLICY ON CAP OF MATCHING GRANT.

5 THE STATUS OF THE COUNTY MATCH. IT'S
6 ONGOING. AT THE PRESENT TIME THERE IS A COMBINATION OF
7 CASH, ALL FIRE SUPPRESSION COSTS, PROJECT MANAGER
8 RESPONSIBILITY, AND AN ESTIMATED TIPPING FEE WAIVER, MINIMUM
9 TIPPING FEE WAIVER.

10 AND, AGAIN, THE START OF THE PROJECT AND THE
11 PAYMENT ON THE GRANT AGREEMENT IS CONTINGENT ON A NUMBER OF
12 TASKS. THE COUNTY MUST PROVIDE A RESOLUTION OF APPROVAL
13 FROM THE BOARD OF SUPERVISORS, AND APPARENTLY THE COUNTY
14 DOES HAVE THAT NOW, AND THE COUNTY REPRESENTATIVE WILL GIVE
15 SOME INFORMATION ON THAT.

16 THE COUNTY MUST ESTABLISH THE REMAINING
17 FUNDING, WHICH IS CURRENTLY ESTIMATED AT \$900,000. AND
18 AGAIN, THAT IS BEING LAID OUT FOR A MEETING WITH THE
19 POTENTIAL RESPONSIBLE PARTIES TO ESTABLISH FUNDING FROM
20 THOSE PARTIES.

21 THE COUNTY MUST ALSO COMPLETE CEQA AND ALL
22 APPROVALS FROM AGENCIES. THERE IS AN APPROVAL MOU THAT'S
23 BEEN CIRCULATED AMONGST THE AGENCIES, IT'S NEAR COMPLETION
24 RIGHT NOW. THAT WOULD CONSTITUTE ALL THE AGENCIES WITH

1 AUTHORITY OVER THE PROJECT, THEIR APPROVAL.

2 FINAL PLANS AND SPECIFICATIONS AND THE
3 VERIFICATION OF THIS CONTRACT, WHICH MUST ALSO BE MET.
4 THERE ARE PRELIMINARY PLANS AND SPECIFICATIONS.

5 THERE'S A COUPLE ITEMS THERE THAT ARE NOT
6 INCLUDED, ONE OF WHICH BEING THE COST RECOVERY AGREEMENT
7 WITH THE COUNTY. ALSO THE COMPLETED APPLICATION FORM. BUT
8 THOSE ARE IN THE RESOLUTION.

9 WE ALSO UNDERSTAND THAT THE BOARD WOULD LIKE
10 STAFF TO COME BACK TO REPORT TO THE BOARD VERIFICATION THAT
11 THE COUNTY HAS MET ALL THESE CONDITIONS.

12 AND, AGAIN, THE COUNTY MUST COMPLETE THE
13 TASKS OR THE GRANT WILL TERMINATE, AND THE TERMINATION DATE
14 IN THE -- THIS PROPOSAL WOULD BE FEBRUARY 1ST OF THE YEAR
15 2000.

16 IN CONCLUSION, STAFF RECOMMENDS ADOPTION OF
17 RESOLUTION 1999-215, APPROVING THE AWARD OF A \$750,000 -- UP
18 TO \$750,000 AB 2136 PROGRAM -- THAT'S THE SITE CLEANUP,
19 CODISPOSAL PROGRAM, A MATCHING GRANT TO THE COUNTY OF SAN
20 BERNARDINO FOR CLEANUP OF THE CAJON ILLEGAL DISPOSAL SITE.

21 THAT CONCLUDES THE STAFF PRESENTATION. PAM
22 BENNETT WILL NOW PRESENT TO THE BOARD -- TO REPRESENT THE
23 COUNTY OF SAN BERNARDINO ON THIS ITEM.

24 CHAIRMAN EATON: ARE THERE ANY QUESTIONS OF MR.

1 WALKER AT THIS TIME, BEFORE WE GET TO MS. BENNETT?

2 OKAY. MS. BENNETT? THANK YOU.

3 MS. BENNETT: GOOD MORNING MR. CHAIR AND MEMBERS
4 OF THE BOARD. SAN BERNARDINO COUNTY WOULD LIKE TO EXPRESS
5 OUR APPRECIATION TO THE STAFF AND THE BOARD MEMBERS WHO HAVE
6 PROVIDED THEIR SUPPORT TO DATE.

7 ON TUESDAY, MAY 25TH, THE SAN BERNARDINO
8 BOARD OF SUPERVISORS PASSED A RESOLUTION AUTHORIZING
9 COMMITMENT OF MATCHING FUNDS TO SECURE THE GRANT FROM THE
10 WASTE BOARD.

11 THE COUNTY HAS ALREADY EXPENDED APPROXIMATELY
12 \$250,000 ON FIRE SUPPRESSION, ADMINISTRATIVE PROCEEDINGS,
13 LEGAL AND INVESTIGATIVE COSTS.

14 WHILE OUR LAW SUIT AGAINST THE RESPONSIBLE
15 PARTIES HAS ALREADY BEEN FILED, WE ARE IDENTIFYING MORE
16 HAULERS EACH WEEK. WE'RE PROPOSING AN INITIAL MEETING WITH
17 ALL OF THE RESPONSIBLE PARTIES THE FIRST WEEK IN JULY.

18 THIS GRANT WILL ASSIST US IN PROVIDING THE
19 FINANCING FOR A TIMELY CLEANUP OF THIS ENVIRONMENTALLY
20 SENSITIVE AREA. THE COUNTY AGREES TO ALL THE CONDITIONS OF
21 THE GRANT, AND WOULD URGE YOUR APPROVAL OF THIS ITEM.

22 THIS CONCLUDES MY REPORT. ARE THERE ANY
23 QUESTIONS?

24 CHAIRMAN EATON: QUESTIONS? NO.

1 I JUST HAVE ONE COMMENT. I'D LIKE TO THANK
2 MR. JONES AND ALSO MR. PENNINGTON WHO, I BELIEVE, WENT DOWN
3 TO THE SITE OR AT LEAST HAD COMMUNICATION.

4 MEMBER JONES: RIGHT.

5 CHAIRMAN EATON: MR. JONES HAS SORT OF BEEN
6 HEADING UP THIS EFFORT OVER THE LAST COUPLE OF MONTHS, SINCE
7 IT FIRST CAME TO OUR ATTENTION, AND WE SORT OF WERE ABLE TO
8 GET OUR HANDS AROUND IT, SO I THANK YOU FOR YOUR VERY GOOD
9 WORK, BOTH OF YOU.

10 AND I THINK THIS IS AN EXAMPLE OF WHERE AS A
11 BOARD WE'RE WILLING TO HELP, AND ANXIOUS TO HELP, EXCEPT
12 THAT IN CERTAIN SITUATIONS -- FOR INSTANCE IN THIS CASE, A
13 STREAM BED ALTERATION AGREEMENT OF WHICH WE MAY HAVE VERY
14 WELL BE CAUGHT TO TRY AND OBTAIN IF WE WERE -- HAD GONE IN
15 ORIGINALLY -- HAS NOT BEEN WORKED OUT WHERE THE PROPER PARTY
16 WHO SHOULD HAVE BEEN ABLE TO OBTAIN THAT HAS NOT DONE SO AND
17 WE CAN MOVE FORWARD.

18 I JUST HAVE ONE OTHER QUESTION. IN ADDITION
19 TO THE 70 RESPONSIBLE PARTIES, ONE OF THE RESPONSIBLE
20 PARTIES HOPEFULLY IS THE LANDOWNER.

21 MEMBER JONES: RIGHT.

22 CHAIRMAN EATON: SO IS THAT 71 OR 70? I JUST WANT
23 TO MAKE SURE. BECAUSE THE LANDOWNER IS AS MUCH RESPONSIBLE
24 --

1 MEMBER JONES: RIGHT.

2 CHAIRMAN EATON: -- FOR THIS SITUATION --

3 MR. WALKER: CORRECT.

4 CHAIRMAN EATON: -- AND ANY OF THE PEOPLE WHO DUMP
5 THERE AS WELL.

6 MR. WALKER: CORRECT. THE OTHER THING TO POINT
7 OUT IS THAT THERE ARE -- IT'S BEEN QUITE A BIT OF WORK WITH
8 70 IDENTIFIED AND THERE IS -- EVERYBODY IS BRINGING IN --
9 BEING BROUGHT IN ON THIS THAT CAN BE IDENTIFIED. AND THE
10 OWNER OF -- THE PROPERTY OWNER IS INCLUDED IN THAT.

11 CHAIRMAN EATON: OKAY. ALL RIGHTY.

12 MEMBER JONES: MR. CHAIRMAN?

13 CHAIRMAN EATON: MR. JONES.

14 MEMBER JONES: THE STAFF RESOLUTION WE HAVE IN
15 FRONT OF US -- AND I TALKED TO SCOTT AND WE HAD IDENTIFIED
16 IT -- IF YOU LOOK AT THE -- ON THE FIRST PAGE, THE FIRST
17 WHEREAS -- OR, THE LAST WHEREAS BEFORE THE LISTING?

18 CHAIRMAN EATON: WOULD THAT BE "WHEREAS, THE
19 NATURE OF THE SITE AND THE ABATEMENT" ETC.?

20 MEMBER JONES: YES. IT'S -- ON THE LAST LINE OF
21 THAT, WHERE IT SAYS "THE BOARD," THE WORD " STAFF'S GOING TO
22 WORK WITH US BUT THEY KNOW HOW THIS PROJECT'S BEING LED AND
23 --

24 MEMBER PENNINGTON: WHERE IS THIS?

CALIFORNIA SHORTHAND REPORTING

1 CHAIRMAN EATON: IT'S RIGHT BEFORE --

2 MEMBER JONES: STAFF.

3 MEMBER PENNINGTON: OH, OKAY.

4 MEMBER JONES: WE'RE GOING TO TAKE OUT "STAFF" ON
5 THAT WHEREAS, ON ITEM NO. 5 AND ON ITEM NO. 6 JUST STRIKE
6 "STAFF." BECAUSE STAFF'S WORKING WITH US, IT'S JUST BECAUSE
7 OF THE NATURE OF THIS, IT'S COMING TO THE THIRD FLOOR.

8 MEMBER PENNINGTON: MR. CHAIRMAN, I DO HAVE ONE
9 QUESTION.

10 CHAIRMAN EATON: MR. PENNINGTON.

11 MEMBER PENNINGTON: ARE WE LIENING THIS PROPERTY?

12 MEMBER JONES: YES. IT'S ALREADY BEEN DONE --

13 (THE PARTIES SIMULTANEOUSLY SPEAK.)

14 MEMBER PENNINGTON: -- LIKE MUCH A PIECE OF A
15 PROPERTY WHEN I LOOKED AT IT. BUT I THINK WE OUGHT TO AT
16 LEAST LIEN IT.

17 MEMBER JONES: IT IS.

18 MEMBER PENNINGTON: YEAH.

19 MEMBER JONES: IT'S ALREADY --

20 MEMBER PENNINGTON: ARE THERE ANY OTHER ASSETS OF
21 THE LANDOWNER? ARE WE GOING AFTER...?

22 MEMBER JONES: WE'RE GOING AFTER EVERYTHING THIS
23 GUY'S GOT, THIS --

24 MEMBER PENNINGTON: WHICH MAY NOT BE VERY MUCH I

CALIFORNIA SHORTHAND REPORTING

1 KNOW.

2 MEMBER JONES: I MEAN, THIS -- BELIEVE ME. WELL,
3 WE'RE GOING AFTER EVERYTHING. EVERYTHING IT IS TO HIM, YOU
4 KNOW, AS FAR AS I'M CONCERNED IT'S -- NO, EVERYTHING IS --
5 WE'RE GOING AFTER EVERYTHING.

6 THAT'S ONE OF THE REASONS THAT --

7 CHAIRMAN EATON: I THINK THAT'S A GOOD POINT. MY
8 UNDERSTANDING, IT'S LOCATED RIGHT NEAR THE 215 FREEWAY.

9 MEMBER PENNINGTON: IT IS. IT'S --

10 CHAIRMAN EATON: AND SO --

11 (THE PARTIES SIMULTANEOUSLY SPEAK.)

12 CHAIRMAN EATON: -- WHILE TODAY IT MAY BE WORTH
13 JUST THE PRICE OF WHAT THE DIRT IS ON THERE, THAT -- WITH
14 THE GROWTH PRESSURES THAT ARE THERE I THINK -- YOU'RE
15 ACTUALLY SEEING, AS A FORMER HOUSING PERSON, THAT SOON COULD
16 BECOME THE NEXT OASIS --

17 MEMBER JONES: RIGHT.

18 CHAIRMAN EATON: -- ALONG THAT THOROUGHFARE.

19 MEMBER JONES: YEAH. THIS GUY IS NOT WALKING
20 AWAY, BELIEVE ME. EVERYTHING IS IN MOTION THAT -- THE
21 ACTION'S BEEN FILED AGAINST HIM, I DON'T KNOW IF IT'S BEEN
22 LIENED YET, I THINK IT'S PART OF THE PROCESS. BUT IT'S
23 GOING TO HAPPEN, HE'S NOT MOVING ANYTHING.

24 MEMBER PENNINGTON: PARTICULARLY IF THAT LAND --

CALIFORNIA SHORTHAND REPORTING

1 IF HE OWNS THAT LAND ON THE OTHER SIDE OF THE OLD HIGHWAY,
2 IF HE OWNS ANY PROPERTY BETWEEN THE OLD HIGHWAY AND 15, THAT
3 COULD BECOME PRETTY VALUABLE.

4 MEMBER JONES: OH, YEAH, AND HE OWNS A TRIANGLE. I
5 THINK HIS GOES THIS WAY, HIS EXPANDS OUT INTO THE RIVER AREA
6 AND HIS DEED GOES -- I DON'T KNOW IF IT GOES THROUGH THE
7 RIVER TO THE OTHER SIDE, BUT I KNOW IT AT LEAST GOES TO THE
8 END OF THE RIVER.

9 CORRECT, PAM? ISN'T IT SOMEWHERE IN THAT
10 AREA?

11 MS. BENNETT: I BELIEVE SO.

12 MEMBER JONES: YEAH. SO IT'S A BIG PIECE. HOW
13 VALUABLE IT IS -- IT'S EVERYTHING HE'S GOT.

14 THEN I WANT TO ADD ON THE LAST PAGE, NOW
15 THEREFORE BE IT RESOLVED, WE JUST NEED TO ADD THE LANGUAGE
16 THAT'S IN THE ITEM, THAT IN THE EVENT THAT POTENTIAL
17 RESPONSIBLE PARTIES ARE UNABLE TO REPLACE THE MATCH, THE
18 PROPOSED GRANT AGREEMENT WILL BE TERMINATED BY FEBRUARY 1ST,
19 2000.

20 CHAIRMAN EATON: COULD YOU READ THAT ONCE AGAIN?

21 MEMBER JONES: SURE. THAT CAME -- YEAH. IN THE
22 EVENT THAT THE PRINCIPAL RESPONSIBLE PARTIES ARE UNABLE TO
23 REPLACE THE MATCH THE PROPOSED GRANT AGREEMENT WILL BE
24 TERMINATED BY FEBRUARY 1, 2000.

1 AND I HAVE TO ADD ONE MORE LITTLE PIECE.

2 CHAIRMAN EATON: WHAT?

3 MEMBER JONES: THIS IS IN THE ITEM THAT PUT THE
4 TIME LINE ON THE COUNTY AND THE RESPONSIBLE PARTIES THAT OUR
5 FUNDS WON'T BE EXPENDED UNTIL ALL THE PIECES ARE IN PLACE,
6 BUT WE'RE NOT GOING TO LEAVE IT OUT THERE FOREVER. SO WE'RE
7 GOING --

8 CHAIRMAN EATON: NO, I UNDERSTAND. BUT YOU
9 MENTIONED THE FACT OF ONLY RESPONSIBLE PARTIES AND NOT THE
10 COUNTY.

11 MS. TOBIAS: YES, THAT'S CORRECT. CAN YOU DIRECT
12 ME --

13 CHAIRMAN EATON: AND THE REASON WHY IS, I JUST
14 THOUGHT I HEARD MR. WALKER SAY THAT THE COUNTY IS NOT A
15 RESPONSIBLE PARTY, SO IF THE INTENT OF YOUR -- AND I'M NOT
16 TRYING TO BE STICKY HERE. BUT IF THE INTENT IS, IS THAT IF
17 SOMEONE IS NOT ABLE TO COME UP WITH THEIR MATCH, WHETHER IT
18 BE THE RESPONSIBLE PARTIES OR THE COUNTY, THEN IT
19 TERMINATES, THAT'S NOT WHAT THAT SENTENCE DOES, AT LEAST IN
20 MY OPINION.

21 MEMBER JONES: OKAY. AFTER RESPONSIBLE PARTIES
22 ADD "OR THE COUNTY."

23 CHAIRMAN EATON: OKAY.

24 MS. TOBIAS: COULD WE JUST TAKE THE LANGUAGE FROM

1 PAGE 7-4? IT'S IN THE SECOND PARAGRAPH STARTING WITH -- THE
2 PARAGRAPH STARTS WITH THE COUNTY'S MATCH OF FUNDS, BUT THE
3 NEXT SENTENCE THEN SAYS "IN THE EVENT THAT THE POTENTIALLY
4 RESPONSIBLE PARTIES ARE UNABLE TO FULFILL THE REQUIRED MATCH
5 AND THE COUNTY IS UNABLE TO REPLACE THAT PORTION OF THE
6 MATCH THE PROPOSED GRANT AGREEMENT WILL BE TERMINATED BY
7 FEBRUARY 1, 2000."

8 MEMBER JONES: THAT'S WHAT I DID, EXCEPT THE
9 900,000.

10 MS. TOBIAS: OKAY.

11 MEMBER JONES: I DIDN'T PUT THE DOLLAR AMOUNT IN
12 BECAUSE IT MAY BE MORE.

13 MS. TOBIAS: OKAY. WHAT I DIDN'T HEAR YOU SAY WAS
14 THAT THE COUNTY WAS ALSO --

15 MEMBER JONES: RIGHT. AND MR. EATON CAUGHT THAT -
16 -

17 (THE PARTIES SIMULTANEOUSLY SPEAK.)

18 MEMBER JONES: -- AND I MADE A MISTAKE AND SO I'VE
19 ADDED TO IT.

20 MS. TOBIAS: SO COULD WE JUST USE THIS LANGUAGE OR
21 ARE YOU ACTUALLY --

22 MEMBER JONES: NO, THAT'S FINE --

23 (THE PARTIES SIMULTANEOUSLY SPEAK.)

24 MEMBER JONES: -- SCRATCH THE 900 --

CALIFORNIA SHORTHAND REPORTING

1 MEMBER PENNINGTON: -- WHAT YOU JUST READ.

2 MEMBER JONES: I DID. I READ -- I ADDED COUNTY
3 WHERE IT WAS. SORRY.

4 AND THEN WHEN ALL THE -- THIS IS NOT
5 VERBATIM, OKAY? -- THIS IS STEVE JONES ENGLISH, SO YOU GUYS
6 CAN FIGURE THIS OUT -- WHEN ALL THE PIECES ARE IN PLACE IT
7 COMES BACK TO THE BOARD FOR FINAL CONCURRENCE. SAY IT ANY
8 WAY YOU WANT.

9 MS. TOBIAS: CAN WE SAY THAT WHEN THE CONDITIONS
10 IN -- THAT ARE MET ABOVE MUST RETURN -- OR, MUST BE APPROVED
11 BY THE BOARD? AND WE'LL ADD THAT INTO THAT WHEREAS?

12 MEMBER JONES: THAT'S FINE --

13 (THE PARTIES SIMULTANEOUSLY SPEAK.)

14 MEMBER PENNINGTON: FOR FINAL APPROVAL?

15 MEMBER JONES: YEAH, FOR FINAL APPROVAL.

16 MS. TOBIAS: FINAL APPROVAL.

17 MEMBER JONES: AND THAT'S MY MOTION.

18 MEMBER PENNINGTON: AND I'LL SECOND IT.

19 CHAIRMAN EATON: MR. JONES MOVES AND MR.

20 PENNINGTON SECONDS THAT WE ADOPT RESOLUTION 1999-215 AS
21 AMENDED, THOSE AMENDMENTS BEING THAT THE LAST WHEREAS CLAUSE
22 THE WORD "STAFF" IS STRICKEN, AND ITEM LISTED NUMBER FIVE,
23 "STAFF" IS STRICKEN, THE WORD "STAFF" IS STRICKEN, ITEM
24 NUMBER SIX THE WORD "STAFF" IS STRICKEN.

1 IN ADDITION, WE WILL PUT IN THE RESOLUTION
2 THAT IN THE EVENT THAT THE POTENTIALLY RESPONSIBLE PARTIES
3 ARE UNABLE TO FULFILL THE REQUIRED MATCH AND THE COUNTY IS
4 UNABLE TO REPLACE THAT PORTION OF THE MATCH THE PROPOSED
5 GRANT AGREEMENT WILL BE TERMINATED BY FEBRUARY 1ST --

6 MEMBER PENNINGTON: IN 2000.

7 CHAIRMAN EATON: IN 2000. OKAY.

8 AND THEN, MS. TOBIAS, I'M SORRY, I DIDN'T
9 WRITE DOWN YOUR LAST STATEMENT.

10 MS. TOBIAS: IS THIS THE ONE APPROVED BY THE
11 BOARD?

12 MEMBER JONES: YES.

13 CHAIRMAN EATON: YES, MA'AM.

14 MS. TOBIAS: OKAY. SO THIS WOULD BE IN THE FOURTH
15 WHEREAS, AND WE WOULD BE ADDING IN THE SECOND TO THE LAST
16 LINE -- IT NOW SAYS "PROVIDED THAT CERTAIN CONDITIONS ARE
17 FIRST MET TO THE SATISFACTION OF THE BOARD," THAT WOULD BE
18 CHANGED TO READ "PROVIDED THAT CERTAIN CONDITIONS ARE
19 COMPLETED AND APPROVED BY THE BOARD INCLUDING THE
20 FOLLOWING."

21 CHAIRMAN EATON: OKAY.

22 MS. TOBIAS: DOES THAT MEET THAT...?

23 CHAIRMAN EATON: OKAY. MADAM SECRETARY, PLEASE
24 CALL THE ROLL ON THE AMENDED RESOLUTION, PLEASE.

1 THE SECRETARY: BOARD MEMBERS JONES?

2 MEMBER JONES: AYE.

3 THE SECRETARY: PENNINGTON?

4 MEMBER PENNINGTON: AYE.

5 THE SECRETARY: ROBERTI?

6 MEMBER ROBERTI: AYE.

7 THE SECRETARY: CHAIRMAN EATON?

8 CHAIRMAN EATON: AYE.

9 ALL RIGHT, ITEM NO. 8 --

10 MEMBER JONES: MR. CHAIRMAN? JUST --

11 CHAIRMAN EATON: MR. JONES.

12 MEMBER JONES: I WANT TO THANK SCOTT WALKER,
13 MICHAEL BLEDSOE FROM OUR STAFF, AS WELL AS THE COUNTY OF SAN
14 BERNARDINO. WE GOT A LOT OF WORK DONE IN A SHORT PERIOD OF
15 TIME. SO, THANK YOU VERY MUCH.

16 AGENDA ITEM 8: CONSIDERATION OF NEW SITES FOR THE FARM
17 AND RANCH SOLID WASTE CLEANUP AND ABATEMENT GRANT PROGRAM
18 (SB 1330)

19 CHAIRMAN EATON: ITEM NO. 8, CONSIDERATION OF NEW
20 SITES FOR THE FARM AND RANCH SOLID WASTE CLEANUP AND
21 ABATEMENT GRANT PROGRAM (SB 1330).

22 MS. TURNER: GOOD MORNING MR. CHAIRMAN AND MEMBERS
23 OF THE BOARD. AS YOU RECALL -- MY NAME IS GEORGIANNE TURNER
24 OF THE BOARD'S CLOSURE AND REMEDIATION AND TECHNICAL

1 ASSISTANCE BRANCH.

2 AS YOU PROBABLY RECALL, IN FEBRUARY THE BOARD
3 ADOPTED CRITERIA FOR GRANT ELIGIBILITY AND ESTABLISHED A
4 PROCESS UNDER WHICH THE GRANT APPLICATIONS MAY BE REVIEWED,
5 RANKED AND SCORED.

6 IN EARLY MARCH THE NOTICE OF AVAILABLE FUNDS
7 WAS SENT OUT TO APPROXIMATELY 700 PARTIES, AND IN THE LAST
8 TWO MONTHS WE'VE RECEIVED APPROXIMATELY FOUR APPLICATIONS.

9 THE APPLICATIONS ARE FROM SAN JOAQUIN COUNTY FOR
10 APPROXIMATELY \$49,000 TO CLEAN UP NINE SITES ON PRIVATE
11 PROPERTY; SISKIYOU COUNTY FOR UP TO \$9,900 FOR THE CLEANUP OF
12 ONE SITE ON PRIVATE PROPERTY; AND TRINITY COUNTY FOR
13 APPROXIMATELY \$47,000, THIS WILL CLEAN UP NINE SITES ON
14 FEDERAL AND PRIVATE LANDS. IN THE CASE OF PLUMAS COUNTY,
15 THEY APPLIED FOR \$3,565 TO CLEAN UP ONE SITE ON PRIVATE
16 PROPERTY. HOWEVER, THE STATUTE IS CLEAR THAT WE NEED TO
17 LIMIT THE ADMINISTRATION COSTS TO 3% OF THE TOTAL COST OF
18 THE PROJECT. SO PLUMAS COUNTY WOULD ONLY BE ELIGIBLE FOR
19 \$2,909.09. AND THAT'S WHAT STAFF IS RECOMMENDING.

20 THE FOUR APPLICATIONS WOULD TOTAL
21 \$109,705.12, WHICH WOULD COME OUT OF THE \$459,000 WHICH WAS
22 ALLOCATED IN THE BOARD'S FISCAL YEAR 1998-1999.

23 IF THE BOARD APPROVES THESE PROJECTS ABOUT
24 SEVERAL THOUSAND CUBIC YARDS OF PUTRESCIBLE WASTE, OVER 100

1 WHITE GOODS, AND 700 TIRES WILL BE CLEANED UP ALONG THE
2 ROADSIDES IN THE RURAL COUNTIES.

3 THE APPLICANTS WILL BE REQUIRED TO COMPLY
4 WITH PRC SECTION 48105. AND AS PART OF THE GRANT AGREEMENT,
5 TO RECYCLE AND REUSE AS MUCH MATERIAL AS POSSIBLE. AND THEY
6 WILL ALSO BE REQUIRED TO COMPLY WITH ALL THE LAWS GOVERNING
7 AND HANDLING SOLID WASTE, HAZARDOUS WASTE, LIQUID WASTE, AND
8 MEDICAL WASTE.

9 AS THE PROGRAM DEVELOPS WE'LL BE ABLE TO
10 HAVE AN IDEA HOW THESE PROGRAMS ARE DOING IN THEIR RECYCLING
11 EFFORTS.

12 THEREFORE, STAFF RECOMMENDS THAT WE ADOPT THE
13 RESOLUTION 1999-216, FUNDING THE GRANTS OF FOUR APPLICATIONS
14 OF THE FARM AND RANCH SOLID WASTE CLEANUP AND ABATEMENT
15 GRANT PROGRAM.

16 STAFF: MR. CHAIRMAN AND MEMBERS, JUST A
17 CLARIFYING CORRECTION ON THE RESOLUTION. ON THE BACK PAGE
18 OF THE RESOLUTION, THE FIRST LINE READS "TO AWARD UP TO
19 \$109,705.21," THERE'S BEEN A TRANSPOSITION THERE, THAT
20 SHOULD READ 12 CENTS INSTEAD OF 21.

21 CHAIRMAN EATON: OKAY. ANY QUESTIONS OR COMMENTS
22 --

23 MEMBER PENNINGTON: YEAH, I DO.

24 CHAIRMAN EATON: MR. PENNINGTON.

1 MEMBER PENNINGTON: FIRST I'LL MOVE ADOPTION OF
2 RESOLUTION 1999-216.

3 BUT I MIGHT NOTE THAT PLUMAS COUNTY SEEMS TO
4 BE MUCH MORE EFFICIENT THAN TRINITY COUNTY, BECAUSE THEY
5 BOTH ARE CLEANING UP 330 GALLONS OF OIL, 115 TIRES, AND 47
6 WHITE GOODS. IT SEEMS TO ME THE ONLY DIFFERENCE IS 40 CUBIC
7 YARDS, BUT THERE SEEMS TO BE ABOUT \$45,000 WORTH OF
8 DIFFERENCE.

9 MS. TURNER: YES. I THINK YOU NOTED AN ERROR IN
10 THE AGENDA ITEM, AND I WOULD HAVE -- I APOLOGIZE FOR NOT
11 MENTIONING THAT, I THOUGHT THAT THAT WAS -- YOU HAD THE
12 CORRECT COPY. SO PLEASE STRIKE 53 VEHICLES, 330 GALLONS OF
13 OIL, 115 TIRES, AND 47 WHITE GOODS FROM THE PLUMAS COUNTY
14 INFORMATION CHART ON PAGE 8-3.

15 MEMBER PENNINGTON: OKAY.

16 MEMBER JONES: OH, OH, OKAY. I'LL SECOND MR.
17 PENNINGTON'S MOTION.

18 CHAIRMAN EATON: ALL RIGHTY. MR. PENNINGTON MOVES
19 AND MR. JONES SECONDS THAT WE ADOPT RESOLUTION 1999-216, AS
20 AMENDED, TO INDICATE THAT IT'S \$109,705.12 CENTS.

21 MADAM SECRETARY, WOULD YOU PLEASE CALL THE
22 ROLL?

23 THE SECRETARY: BOARD MEMBERS JONES?

24 MEMBER JONES: AYE.

1 THE SECRETARY: PENNINGTON?

2 MEMBER PENNINGTON: AYE.

3 THE SECRETARY: ROBERTI?

4 MEMBER ROBERTI: AYE.

5 THE SECRETARY: CHAIRMAN EATON?

6 CHAIRMAN EATON: AYE.

7 AGENDA ITEM 4: CONSIDERATION OF THE ISSUANCE OF A
8 REVISED MAJOR WASTE TIRE FACILITY PERMIT FOR TOTAL TIRE
9 RECYCLING, LLC, SACRAMENTO COUNTY (RESUMED)

10 ALL RIGHTY. THAT COMPLETES THE SECTION ON
11 PERMITS, WITH THE EXCEPTION OF ITEM NO. 4, BECAUSE MR.
12 ROBERTI UNFORTUNATELY HAD TO ATTEND TO SOMETHING RATHER
13 URGENTLY.

14 I JUST WANTED TO GIVE YOU ENOUGH TIME, BEFORE
15 GOING BACK --

16 MEMBER ROBERTI: YEAH.

17 CHAIRMAN EATON: -- AND COMPLETE THE WHOLE
18 SECTION. DO YOU HAVE ANY QUESTIONS OR WOULD YOU LIKE ANY
19 KIND OF -- OR DO YOU -- ARE YOU READY TO --

20 MEMBER ROBERTI: YES.

21 CHAIRMAN EATON: OKAY. WE TOOK A ROLL CALL VOTE
22 AND PUT THE VOTE ON CALL. AND SO, MADAM SECRETARY, WILL YOU
23 PLEASE CALL THE ROLL -- AT THE TIME THE MEMBERS WHO WEREN'T
24 PRESENT?

1 THE SECRETARY: BOARD MEMBER ROBERTI?

2 MEMBER ROBERTI: AYE.

3 CHAIRMAN EATON: ALL RIGHTY, THE RESOLUTION
4 PASSES.

5 AND I HAVE ONE SPEAKER SLIP WITH MR. BURNS.
6 MR. BURNS, YOU CARE TO SAY ANYTHING? OKAY, THANK YOU.

7 MEMBER PENNINGTON: HE COULD GET UP AND SAY
8 THANKS. (LAUGHTER.)

9 WASTE PREVENTION AND MARKET DEVELOPMENT
10 AGENDA ITEM 9: CONSIDERATION OF APPROVAL OF
11 THE 1997 RIGID PLASTIC PACKAGING CONTAINER (RPPC)
12 'ALL-CONTAINER' AND POLYETHYLENE TEREPHTHALATE
13 (PETE) RECYCLING RATES

14 CHAIRMAN EATON: ALL RIGHTY. NEXT ITEM ON THE
15 AGENDA IS ITEM NO. 9, MOVING THE WASTE PREVENTION MARKET
16 DEVELOPMENT CONSIDERATION APPROVAL OF 1997 RIGID PLASTIC
17 PACKAGING CONTAINER RECYCLING RATES.

18 MEMBER JONES: HERE THEY COME.

19 CHAIRMAN EATON: I UNDERSTAND MR. BLOCK HAS A
20 STATEMENT HE WANTS TO BEGIN WITH. MR. BLOCK.

21 MR. BLOCK: ELLIOTT BLOCK WITH THE LEGAL OFFICE.

22 AS HAS BEEN PREVIOUSLY DISCLOSED, SENATOR
23 ROBERTI'S WIFE OWNS STOCK IN THREE COMPANIES WHICH MAY
24 POSSIBLY BE AFFECTED BY THE RIGID PLASTIC PACKAGING LAW. IT

1 IS NOT KNOWN WHETHER OR NOT SENATOR ROBERTI HAS AN ACTUAL
2 CONFLICT OF INTEREST, BUT ON ADVICE THAT I PROVIDED HE
3 PARTICIPATED IN AN ITEM LAST MONTH. IN DOING SO THE RULE OF
4 NECESSITY WAS CITED AS AN ADDITIONAL REASON FOR ALLOWING HIS
5 PARTICIPATION.

6 YESTERDAY I ATTENDED AN FPPC SEMINAR AND WAS
7 INFORMED THAT THE FAIR POLITICAL PRACTICES COMMISSION HAS
8 INTERPRETED THE RULE OF NECESSITY MORE NARROWLY THAN IT IS
9 STATED IN EITHER STATUTE OR REGULATIONS. AND THEIR
10 INTERPRETATION IS SUCH THAT, IN DETERMINING WHETHER OR NOT A
11 QUORUM COULD BE CONVENED WITHOUT A DISQUALIFIED MEMBER,
12 VACANT POSITIONS ARE COUNTED. THEREFORE, THE RULE OF
13 NECESSITY WOULD NOT APPLY IF THERE WOULD BE A QUORUM IF
14 THOSE POSITIONS WERE FILLED.

15 IN THE CASE OF THE BOARD HEARING ITEM NO. 9
16 TODAY, THE FPPC WOULD CONSIDER THERE TO BE FIVE OTHER
17 MEMBERS BESIDES SENATOR ROBERTI TO BE AVAILABLE TO HEAR THIS
18 ITEM.

19 THE INFORMATION PROVIDED YESTERDAY WAS
20 SKETCHY AND DISPUTED BY THE AUDIENCE AT THE SEMINAR, BUT
21 UPON VERIFICATION THIS MORNING THAT THE FPPC HAS GIVEN THIS
22 ADVICE IN THE PAST ON AT LEAST ONE OCCASION, I INFORMED
23 SENATOR ROBERTI THIS MORNING OF THAT INTERPRETATION.

24 BASED ON THIS INFORMATION I HAVE RECOMMENDED

1 THAT THIS MATTER BE POSTPONED UNTIL WE CAN RECEIVE FURTHER
2 CLARIFICATION ON THE INTERPRETATION OF THESE RULES.

3 CHAIRMAN EATON: ALL RIGHTY. MEMBERS, YOUR
4 OPTIONS ARE, THAT WE CAN CONTINUE THE MATTER, AND WHICH I
5 THINK IS MOST APPROPRIATE. OR, TWO, IF IT WOULD MEET WITH
6 CONVENIENCE, IF ANY MEMBERS HAVE TRAVELED FROM AFAR THAT
7 WISH TO SPEAK AND CANNOT COME AT A LATER TIME THEN WE WOULD
8 HAVE TO TAKE AN ALTERNATIVE PROCEDURE, BY WHICH MR. ROBERTI
9 WOULD HAVE TO RECUSE HIMSELF. SO, I MEAN, THOSE ARE OUR
10 OPTIONS.

11 IN ANY EVENT, WE WILL NOT BE HEARING THE
12 MATTER TODAY FOR PURPOSES OF VOTE, BUT AS A COURTESY TO
13 THOSE WHO HAVE MAY HAVE TRAVELED FAR -- ALTHOUGH I ONLY HAVE
14 ONE SPEAKER SLIP HERE, SO I DON'T BELIEVE THAT THAT'S REALLY
15 APPROPRIATE, UNLESS MR. LARSON IS PLANNING ON RELOCATING
16 VERY SHORTLY, WHICH I DON'T BELIEVE IS THE CASE, OR AT LEAST
17 HE HASN'T INFORMED ANY OF US.

18 IN WHICH CASE, THE ONLY REAL OPTION IS THAT
19 THIS MATTER WOULD BE PUT OVER AND CONTINUED AT EACH BOARD
20 MEETING UNTIL SUCH TIME AS THAT WE DO HAVE THE ISSUE
21 RESOLVED.

22 MEMBER PENNINGTON: MR. CHAIRMAN, I'D MOVE THAT WE
23 MOVE IT TO THE NEXT MEETING, AND CONTINUE TO MOVE IT.

24 CHAIRMAN EATON: SURE. ALL RIGHTY. OKAY. SO

1 SHALL BE ORDERED. ITEM 9 IS CONTINUED TO THE SUBSEQUENT
2 BOARD MEETINGS.

3 AGENDA ITEM 10: CONSIDERATION OF APPROVAL OF RECYCLING
4 MARKET DEVELOPMENT REVOLVING LOAN PROGRAM APPLICATION FOR
5 ECOPLAST CORPORATION

6 CHAIRMAN EATON: ITEM NO. 10, CONSIDERATION OF
7 APPROVAL OF RECYCLING MARKET DEVELOPMENT LOAN PROGRAM
8 APPLICATION FOR ECOPLAST.

9 STAFF: GOOD MORNING CHAIRMAN EATON AND BOARD
10 MEMBERS, THIS ITEM WILL BE PRESENTED BY JIM LA TANNER, BUT
11 PRIOR TO HIS PRESENTATION I'D JUST LIKE TO PROVIDE YOU WITH
12 AN UPDATE ON THE STATUS OF THE RMDZ LOAN PROGRAM.

13 TO DATE THE BOARD HAS APPROVED AND FUNDED 71
14 LOANS TOTALING \$32 MILLION. PRESENTLY THE SUB-ACCOUNT
15 (PHON) HAS A FUND CONDITIONED (SIC) BALANCE OF \$21 MILLION,
16 THAT TAKES INTO ACCOUNT REPAYMENTS INTO THE ACCOUNT.

17 THE BOARD PREVIOUSLY APPROVED THREE LOANS
18 TOTALING \$2.6 MILLION THAT ARE IN THE PROCESS OF CLOSING AS
19 WE SPEAK, AND WILL CONSIDER AN ADDITIONAL LOAN TODAY
20 TOTALING \$1 MILLION.

21 IF THE BOARD APPROVES THE LOAN TODAY
22 APPROXIMATELY \$17.3 MILLION WILL REMAIN IN THE SUB-ACCOUNT
23 FOR FUTURE LOAN APPLICATIONS ONCE THOSE LOANS HAVE CLOSED.
24 AND THAT, AS I SAID EARLIER, INCLUDED THE PROJECTED

1 PRINCIPAL, INTEREST AND FEES INCOME THROUGH JUNE 30TH OF
2 THIS FISCAL YEAR.

3 WITH THAT I'D LIKE TO TURN THE PRESENTATION
4 OVER TO JIM.

5 MR. LA TANNER: GOOD MORNING BOARD MEMBERS. MY
6 NAME IS JIM LA TANNER, I'M THE SUPERVISOR OF THE RMDZ LOAN
7 PROGRAM, HERE TO PRESENT AGENDA ITEM 10, CONSIDERATION OF
8 APPROVAL OF RECYCLING MARKET DEVELOPMENT REVOLVING LOAN
9 APPLICATION FOR ECOPLAST CORPORATION IN THE AMOUNT OF \$1
10 MILLION.

11 BACKGROUND OF THE COMPANY. ECOPLAST WAS
12 FOUNDED IN 1991. SIGNIFICANT EVENTS INCLUDE IN '93 ECOPLAST
13 PURCHASED WESTERN GOLD THERMAL (PHON) (THERMOPLASTICS?)
14 PLASTICS, A 30 YEAR-OLD L.A. MANUFACTURER, AND COMBINED THE
15 TWO COMPANIES.

16 ECOPLAST IS A CLOSELY-HELD CORPORATION OWNED
17 BY PARHAM AND MASSUD (PHON). THEY BEGAN WORKING IN THE
18 INDUSTRY BACK IN 1988. THE COMPANY IS HEADQUARTERED IN
19 CHINO, CALIFORNIA, WHICH IS ONE OF OUR ZONES, AND OPERATING
20 OUT OF THAT SITE. ECOPLAST IS A HIGH-QUALITY PROCESSOR OF
21 POST-CONSUMER AND POST-INDUSTRIAL WASTE RECYCLED PLASTIC.

22 THE LOAN REQUEST IS FOR ONE MILLION TO START
23 UP, IN SEVERAL PHASES, A NEW DIVISION SPECIALIZING IN
24 COLORED PLASTIC FLAKE SEPARATION. THE GOAL IS TO PRODUCE

1 COLORED RECYCLED-CONTENT FLAKE AND PELLETS FOR A VARIETY OF
2 CUSTOMERS, INCLUDING OIL COMPANIES, CHEMICAL COMPANIES,
3 PUBLIC AND REGIONAL PLASTIC COMPANIES.

4 THE EQUIPMENT USED BY ECOPLAST IS VERY
5 TECHNOLOGICALLY ADVANCED. DUE TO THE HIGH COST OF THE
6 MACHINERY IT IS LESS EXPENSIVE FOR THESE MANUFACTURERS TO
7 PURCHASE THESE ITEMS FROM ECOPLAST THAN FOR EACH OF THEM TO
8 DEVELOP THIS EQUIPMENT BY THEMSELVES.

9 ECOPLAST HAS ALREADY SPENT \$1.4 TO \$2 MILLION
10 ON PURCHASING THE EQUIPMENT AND DEVELOPING THE PROCESS.

11 AS A RESULT OF THIS LOAN THE COMPANY IS
12 CURRENTLY DIVERTING 15 TONS PER YEAR OF PLASTIC AND WILL NOW
13 BE ABLE TO DIVERT AN ADDITIONAL 25,000 TONS PER YEAR OF
14 COLORED PLASTIC.

15 STAFF HAS REVIEWED THE APPLICATION AND FOUND
16 IT CONSISTENT WITH THE BOARD'S CRITERIA FOR THE PROJECT.
17 STAFF HAS ALSO ANALYZED THE BORROWER'S FINANCIAL CONDITION
18 AND THE LOAN COMMITTEE APPROVED THE LOAN ON MAY 20TH, WITH
19 THE ADDED CONDITIONS OF GETTING LIVE INSURANCE ON BOTH
20 PRINCIPALS AND SUBORDINATION OF PRIVATE-PARTY DEBT.

21 MASSUD IS HERE TODAY TO MAKE A SHORT
22 PRESENTATION CONCERNING THIS LOAN.

23 CHAIRMAN EATON: OKAY. FIRST, BEFORE -- WELCOME.
24 DO THE MEMBERS HAVE ANY QUESTIONS OF STAFF? OKAY.

1 MR. RAD (PHON), WELCOME.

2 MR. RAD: GOOD MORNING MR. CHAIRMAN, MEMBERS OF
3 THE BOARD, MY NAME IS MASSUD RAD.

4 IN MARCH, 1998, ECOPLAST RECEIVED FEDERAL
5 FOOD AND DRUG ADMINISTRATION APPROVAL FOR DIRECT FOOD
6 CONTACT (PHON) OF 100% RECYCLED THPE (PHON) PLASTICS. WE
7 BECAME THE FIRST AND ONLY RECYCLER OF THPE POST-CONSUMER
8 RESIN BASED ON OUR PATENTED CLEANUP PROCESS TECHNOLOGY.

9 THIS ALLOWS 100% OF POST-CONSUMER RECYCLED
10 RESIN TO BE USED IN DIRECT CONTACT WITH FOOD OF ALL
11 CONDITIONS OF USE. AS A RESULT, MILK AND JUICE BOTTLES,
12 COSMETICS, HEALTH CARE AND PHARMACEUTICAL PACKAGING
13 MANUFACTURERS CAN USE THIS RESIN IN A MONO-LAYER (SIC)
14 APPLICATION WITHOUT ANY BARRIER LAYERS.

15 IN JUNE, 1997, ECOPLAST PURCHASED
16 THE ASSETS OF UNION CARBIDE PLASTIC RECYCLING, WHICH
17 INCLUDED THE TECHNOLOGY TRANSFER RELATED
18 TO THE CLEANUP PROCESS NEEDED TO RECEIVE THE FDA NON-
19 OBJECTION LETTER. FDA RECOGNIZED THIS
20 NON-OBJECTION REQUEST AS PRESENTING A PIONEERING TECHNOLOGY
21 AND PERFORMED VERY COMPREHENSIVE TECHNICAL REVIEW TO ASSURE
22 FOOD SAFETY OF THE RECYCLED MATERIAL.

23 TODAY WE, AT ECOPLAST CORPORATION ARE
24 REQUESTING THE BOARD'S APPROVAL FOR A LOAN THAT WOULD ALLOW

1 US TO UTILIZE THE RECRUITEMENT (PHON) AND TECHNOLOGY
2 PURCHASED FROM UNION CARBIDE AT A COST IN EXCESS OF \$1.4
3 MILLION. THANK YOU.

4 CHAIRMAN EATON: ANY QUESTIONS OF MR. RAD?

5 MEMBER PENNINGTON: MR. CHAIRMAN?

6 CHAIRMAN EATON: MR. PENNINGTON.

7 MEMBER PENNINGTON: I'LL MOVE ADOPTION OF
8 RESOLUTION 1999-226.

9 MEMBER JONES: MR. CHAIRMAN, I'LL SECOND IT.

10 CHAIRMAN EATON: ALL RIGHTY. LET ME JUST MAKE
11 SURE.... MR. PENNINGTON MOVES AND MR. JONES SECONDS THAT WE
12 ADOPT RESOLUTION 1999-226.

13 WITHOUT OBJECTION WE'LL -- WELL, ACTUALLY WE
14 OUGHT TO HEAR THE ROLL CALL, WE'RE IN A DIFFERENT AREA.
15 MADAM SECRETARY, PLEASE CALL THE ROLL.

16 THE SECRETARY: BOARD MEMBERS JONES?

17 MEMBER JONES: AYE.

18 THE SECRETARY: PENNINGTON?

19 MEMBER PENNINGTON: AYE.

20 THE SECRETARY: ROBERTI?

21 MEMBER ROBERTI: AYE.

22 THE SECRETARY: CHAIRMAN EATON?

23 CHAIRMAN EATON: AYE.

24 AGENDA ITEM 11: CONSIDERATION AND APPROVAL OF: (B) AWARD

1 OF CONTRACT TO SACRAMENTO COUNTY FOR THE INSTALLATION OF
2 RUBBERIZED ASPHALT CONCRETE ON RESIDENTIAL STREETS WITHIN
3 THE FORMER MILITARY BASE NOW KNOWN AS MATHER FIELD

4 CHAIRMAN EATON: OKAY. ALL RIGHTY, ITEM NO. 11.
5 MEMBERS, IF YOU REMEMBER, THIS WAS PART OF THE CONSENT
6 CALENDAR, AND SO THE NEXT TWO ITEMS, 11 AND 12, AND THEN --
7 IT IS JUST -- AND ALSO I BELIEVE 14 -- CONSTITUTES JUST THE
8 MONEY PORTION, SO WE WON'T HAVE A LOT OF DELAY.

9 AND PERHAPS, IF WE MOVE QUICKLY, I THINK --
10 AND IF YOU CAN HOLD OUT WITH US, AS THE COURT REPORTER, I
11 THINK WE MIGHT BE ABLE TO ACTUALLY GET THROUGH THE AGENDA
12 AND BREAK FOR LUNCH AND BREAK FOR THE DAY. SO, IF THAT
13 MEETS WITH YOUR APPROVAL? I THINK THE OTHER FEW ITEMS
14 AREN'T THAT GREAT IN LENGTH.

15 SO, MS. TRGOVCICH, IF YOU WANT TO MOVE RIGHT
16 TO THE ITEM 11?

17 MS. TRGOVCICH: I'LL MOVE RIGHT TO 11.

18 AS YOU STATED EARLIER, ON THE CONSENT
19 CALENDAR EARLIER THIS MORNING YOU APPROVED THE SCOPE OF WORK
20 FOR THE CONTRACT FOR THE INSTALLATION OF RUBBERIZED ASPHALT
21 CONCRETE ON RESIDENTIAL STREETS WITHIN THE FORMER MILITARY
22 BASE NOW KNOWN AS MATHER FIELD.

23 THE ITEM BEFORE YOU RIGHT NOW IS THE AWARD OF
24 THAT CONTRACT TO SACRAMENTO COUNTY FOR THE WORK TO BE

1 PERFORMED UNDER THE SCOPE OF WORK PREVIOUSLY APPROVED.

2 MEMBER PENNINGTON: MR. CHAIRMAN?

3 MS. TRGOVCICH: IF THERE ARE ANY QUESTIONS?

4 CHAIRMAN EATON: MR. PENNINGTON.

5 MEMBER PENNINGTON: I'LL MOVE ADOPTION OF
6 RESOLUTION 1999-230.

7 MEMBER JONES: I'LL SECOND.

8 CHAIRMAN EATON: ALL RIGHTY. MR. PENNINGTON MOVES
9 AND MR. JONES SECONDS THAT WE ADOPT RESOLUTION 1999-230.

10 WITHOUT OBJECTION, WE'LL SUBSTITUTE THE
11 PREVIOUS ROLL CALL. HEARING NO OBJECTION, SO SHALL BE
12 ORDERED.

13 AGENDA ITEM 12: CONSIDERATION AND APPROVAL OF: (B)
14 AWARD OF CONTRACT TO WEST SONOMA COUNTY UNION HIGH SCHOOL
15 DISTRICT FOR THE CONSTRUCTION OF AN ATHLETIC TRACK MADE FROM
16 RECYCLED TIRES AND IMPLEMENTATION OF OTHER WASTE
17 MINIMIZATION AND REUSE PRACTICES AT ANALY HIGH SCHOOL

18 CHAIRMAN EATON: ITEM NO. 12.

19 MS. TRGOVCICH: ITEM NO. 12, MR. CHAIRMAN.

20 ONCE AGAIN, THIS MORNING YOU APPROVED THE
21 SCOPE OF WORK FOR THE CONTRACT FOR THE CONSTRUCTION OF AN
22 ATHLETIC TRACK MADE FROM RECYCLED TIRES AND IMPLEMENTATION
23 OF OTHER WASTE MINIMIZATION AND REUSE PRACTICES AT ANALY
24 HIGH SCHOOL. THOSE OTHER PRACTICES INCLUDE OTHER

1 C&D-RELATED ACTIVITIES.

2 THE ITEM BEFORE YOU ON THE AGENDA RIGHT NOW
3 IS THE AWARD OF THAT CONTRACT TO WEST SONOMA COUNTY UNION
4 HIGH SCHOOL DISTRICT FOR THE PERFORMANCE OF THAT WORK.

5 IF THERE ARE ANY QUESTIONS I'D BE HAPPY TO
6 ANSWER THEM.

7 CHAIRMAN EATON: QUESTIONS? ALL RIGHTY.

8 MEMBER JONES: NO QUESTIONS.

9 CHAIRMAN EATON: OKAY. NO QUESTIONS? ALL RIGHTY.

10 MEMBER JONES: MR. CHAIRMAN, I WAS GOING TO LET
11 SENATOR ROBERTI DO THIS BUT --

12 MEMBER ROBERTI: I'M LOOKING FOR MY ---

13 MS. TRGOVCICH: 231.

14 MEMBER JONES: 231.

15 MEMBER ROBERTI: 231. SEE, I COULD HAVE DONE IT
16 YOURSELF.

17 MEMBER JONES: I'LL SECOND.

18 CHAIRMAN EATON: ALL RIGHT. I DIDN'T MEAN TO
19 SPEED UP EVERYTHING THAT MUCH. ALL RIGHT.

20 ALL RIGHTY. MR. ROBERTI MOVES AND MR. JONES
21 SECONDS THAT WE ADOPT RESOLUTION 1999-231.

22 IS THERE ANY OBJECTION TO SUBSTITUTING THE
23 PREVIOUS ROLL CALL? HEARING NONE, SO SHALL BE ORDERED.

24 AGENDA ITEM 13: CONSIDERATION AND APPROVAL TO AWARD

1 CONTRACT FOR THE CONSTRUCTION PHASE OF THE SEPTIC TANK
2 LEACHFIELD DEMONSTRATION PROJECT

3 CHAIRMAN EATON: ITEM NO. 13.

4 MS. TRGOVCICH: ITEM NO. 13, MR. CHAIRMAN, IS
5 CONSIDERATION AND APPROVAL TO AWARD CONTRACT FOR THE
6 CONSTRUCTION PHASE OF THE SEPTIC TANK LEACHFIELD
7 DEMONSTRATION PROJECT.

8 THIS CONTRACT, AS YOU WILL -- ARE AWARE, THE
9 SCOPE OF WORK WAS PREVIOUSLY APPROVED BY THE BOARD. IT WENT
10 OUT TO BID, AND WHAT WE ARE RECOMMENDING IS AWARD OF THAT
11 CONTRACT RIGHT NOW FOR THE CONSTRUCTION PHASE ITSELF.

12 THE AMOUNT OF THE AWARD IS AT \$110,000.

13 CHAIRMAN EATON: THIS IS YOURS.

14 MEMBER JONES: YEAH, THIS MINE. ONE OH NINE FOUR
15 OH FOUR.

16 MS. TRGOVCICH: CORRECT.

17 MEMBER JONES: MR. CHAIRMAN --

18 CHAIRMAN EATON: HOLD ON --

19 MS. TRGOVCICH: AND THE AWARD IS TO
20 MID-VALLEY CONSTRUCTION.

21 MEMBER JONES: MR. CHAIRMAN, I'D LIKE TO MOVE --
22 (THE PARTIES SIMULTANEOUSLY SPEAK.)

23 CHAIRMAN EATON: -- WE GOING TO CALL THIS THE WEE
24 (PHON) CHATEAU JONES SUBDIVISION?

1 MEMBER JONES: HEY, IT'S GETTING TIRES OUT.

2 (LAUGHTER.)

3 I WANT TO MOVE RESOLUTION 1999-225.

4 MEMBER PENNINGTON: I'LL SECOND IT.

5 CHAIRMAN EATON: ALL RIGHTY. MR. JONES MOVES AND
6 MR. PENNINGTON SECONDS THAT WE ADOPT RESOLUTION 1999-225.

7 WITHOUT OBJECTION, WE'LL SUBSTITUTE THE
8 PREVIOUS ROLL CALL. HEARING NO OBJECTION SO SHALL BE
9 ORDERED.

10 AGENDA ITEM 14: (B) AWARD OF AN AGREEMENT WITH SHASTA
11 COMMUNITY COLLEGE FOR MAINTENANCE AND SERVICING OF THE
12 RECYCLESTORE WEB SITE AND OTHER RELATED ACTIVITIES

13 CHAIRMAN EATON: ITEM NO. 14.

14 MS. TRGOVCICH: ITEM NO. 14(B) --

15 CHAIRMAN EATON: 14(B), I'M SORRY.

16 MS. TRGOVCICH: -- 14(B), MR. CHAIRMAN. YOU
17 PREVIOUSLY HEARD EARLIER, OR APPROVED UNDER THE CONSENT
18 CALENDAR, THE CONTRACT CONCEPT AND SCOPE OF WORK FOR AN
19 AGREEMENT WITH SHASTA COMMUNITY COLLEGE FOR MAINTENANCE AND
20 SERVICING OF THE RECYCLESTORE WEB SITE AND OTHER ACTIVITIES
21 RELATING TO THAT WEB SITE AND THE PRODUCTS CONTAINED IN
22 THEM.

23 THIS ITEM IS FOR THE AWARD OF THAT CONTRACT
24 WITH SHASTA COMMUNITY COLLEGE.

1 IF THERE ARE ANY QUESTIONS I WOULD BE HAPPY
2 TO ANSWER THEM.

3 MEMBER PENNINGTON: MR. CHAIRMAN?

4 CHAIRMAN EATON: MR. PENNINGTON.

5 MEMBER PENNINGTON: I'D BE HAPPY TO MOVE ADOPTION
6 OF THIS, BUT I WOULD LIKE THE RESOLUTION, WHERE IT SAYS
7 "NOW, THEREFORE, BE IT RESOLVED" THAT THE CIWMB AWARDS AN
8 AGREEMENT FOR \$40,000 --

9 MEMBER JONES: YEAH.

10 MEMBER PENNINGTON: -- TO SHASTA COMMUNITY
11 COLLEGE.

12 MEMBER JONES: WHICH ONE IS GOING -- 234 OR --

13 MEMBER PENNINGTON: 234 --

14 (THE PARTIES SIMULTANEOUSLY SPEAK.)

15 MEMBER JONES: OKAY. YEAH, I WAS LOOKING FOR THE
16 MONEY.

17 MS. TRGOVCICH: WE WILL INCORPORATE THE \$40,000
18 INTO THE LAST PARAGRAPH.

19 MEMBER JONES: I'LL SECOND, WITH THAT AMENDMENT.

20 CHAIRMAN EATON: MR. PENNINGTON MOVES AND MR.
21 JONES SECONDS THAT WE ADOPT RESOLUTION 1999-234, AS AMENDED,
22 TO INCLUDE THE DOLLAR AMOUNT.

23 WITHOUT OBJECTION, WE'LL SUBSTITUTE THE
24 PREVIOUS ROLL CALL ON THE AMENDED RESOLUTION. HEARING NO

1 OBJECTION, SO SHALL BE ORDERED.

2 AGENDA ITEM 15: CONSIDERATION AND APPROVAL OF THE
3 CONTRACT CONCEPT, SCOPE OF WORK, AND AWARD OF AN AGREEMENT
4 WITH THE CITY OF OAKLAND TO ASSIST IN FUNDING THE 'GREEN'
5 COSTS OF THE SANBORN PARK PROJECT

6 CHAIRMAN EATON: ITEM NO. 15. HOLD ON ONE SECOND.
7 MEMBERS, THIS IS ITEM NO. 15. I, LIKE MR. JONES, WAS GOING
8 TO BRING THIS TO THE ATTENTION -- AS WE BEGIN DOWN THE ROAD
9 OF GREEN PRODUCT AND GREEN BUILDING, AN OPPORTUNITY AROSE
10 RECENTLY IN WHICH WE WERE GIVEN THE OPPORTUNITY TO
11 PARTICIPATE IN A PARTNERSHIP WITH ONE OF THE MORE UNIQUE
12 PROGRAMS IN THE UNITED STATES, A PARTNERSHIP WHICH INVOLVED
13 12 SELECTED CITIES IN WHICH GREEN BUILDING, GREEN
14 PROCUREMENT, AND ALL OF THE ITEMS THAT WE SO HOLD DEARLY TO
15 OURSELVES, INCLUDING CONSTRUCTION AND DECONSTRUCTION --
16 PRESENTED WITH US AN OPPORTUNITY IN THE CITY OF OAKLAND, IN
17 ONE OF THE MINORITY AREAS KNOWN AS SANBORN (PHON) PARK, A
18 PARK THAT WAS RIDDLED WITH
19 DRUG-INFESTED CRIME RIGHT NEXT TO A SCHOOL, A UNDERGROUND
20 CREEK THAT WAS POLLUTED.

21 THERE-ALONG, AFTER A SERIES OF COMMUNITY
22 MEETINGS, ETC., A PLAN WAS WORKED ON BY WHICH SANBORN PARK
23 REVITALIZATION WAS BORN.

24 AND OUT OF THAT, IN COLLABORATION WITH NOT

1 ONLY THE CITY OF OAKLAND PARKS AND REC BUT TRUSTS OF PUBLIC
2 LAND, WHICH SELECTED THIS AS ONE OF TWELVE IN THE UNITED
3 STATES, DECIDED TO DEVELOP AN OVERALL GREEN PROGRAM.

4 THIS IS A PROJECT WHICH I THINK IS GOING TO
5 PROBABLY IN THE FUTURE RIVAL THAT OF RIDGEHAVEN, IN THE
6 SENSE THAT IT WILL BE THE FIRST TIME THAT AN URBAN PARK HAS
7 TAKEN THIS KIND OF EFFORT FROM BEGINNING TO END, AS WELL.

8 AND SO, THEREFORE, THEY HAVE ALREADY RAISED
9 ALL OF THEIR MONEY, THEY ARE SHORT THE AMOUNT OF MONEY THAT
10 WE WOULD ALLOCATE THEM. AND, THEREFORE, I WOULD ASK THAT MY
11 FELLOW BOARD MEMBERS JOIN ME IN SUPPORTING THIS. AND I'M
12 READY TO ANSWER ANY QUESTIONS.

13 AND, ALSO, WE HAVE SOME INDIVIDUALS -- WE
14 HAVE MR. ANDREW HAUP (PHON) HERE FROM THE TRUST FOR PUBLIC
15 LAND, IF THERE'S ANYTHING IN TERMS OF THE FINANCIAL
16 MECHANISM.

17 MEMBER PENNINGTON: MR. CHAIRMAN?

18 CHAIRMAN EATON: YES.

19 MEMBER PENNINGTON: MY ONLY QUESTION IS, IS THAT
20 THERE'S ABOUT \$125,000 THAT'S BEING SPENT FOR RECYCLED-
21 CONTENT PRODUCTS AND MATERIALS AND OTHER TYPES OF THINGS,
22 WHICH IS FINE.

23 BUT, AS WE START OFF INTO -- AND IN SORT OF A
24 NEW AREA I WOULD LIKE TO SEE THAT BROKEN DOWN A LITTLE BIT

1 BETTER IN TERMS OF, YOU KNOW, WHAT ARE WE EXPECTED TO PAY
2 FOR A PARK BENCH, YOU KNOW, THAT HAS THE KIND OF CONTENT IN
3 IT THAT WE WANT. A LITTLE BIT MORE IN TERMS OF THAT. ONE
4 OF THE THINGS THAT COMES TO MIND IS, WE DON'T WANT TO BE
5 PAYING, YOU KNOW, \$10,000 FOR A BENCH THAT REALLY ONLY COST
6 \$250. BUT, YOU KNOW, THIS IS WHAT HAPPENS TO THE MILITARY -
7 -

8 CHAIRMAN EATON: I WAS GOING TO SAY, THE
9 DEPARTMENT OF DEFENSE IS A PRIME EXAMPLE WHERE YOU PAY \$850
10 FOR A LITTLE SCREWDRIVER.

11 MEMBER PENNINGTON: I BASICALLY DON'T OBJECT TO
12 THE PROJECT, IT'S JUST THAT I'D LIKE TO SEE US HAVE A LITTLE
13 TIGHTER CONTROL ON WHAT WE'RE SPENDING OUR MONEY ON.

14 CHAIRMAN EATON: I THINK THAT'S AGREED. AND I CAN
15 ASK THE STAFF WHO'RE GOING TO BE WORKING WITH THEM ON THIS
16 PROJECT ALL ALONG IF THEY WOULD KEEP US INFORMED OF THE
17 EXPENSES AS WE DO FOR ANY OTHER PROJECT.

18 AND PERHAPS AT THE SAME TIME, IF -- MR. HAUP
19 IS HERE FROM THE TRUST FOR PUBLIC LAND, IF HE WOULD LIKE TO
20 COMMENT ON THE PROJECT.

21 AND, IN ADDITION, MY UNDERSTANDING IS, IS
22 THAT -- I'M JUST LOOKING THROUGH THE RESOLUTION TO MAKE SURE
23 THAT -- THEY HAD LISTED A FUND FROM WHICH THIS IS COMING
24 FROM. THIS IS GOING TO COME FROM THE ROUGHLY \$4 MILLION

1 THAT WAS ALLOCATED FROM OUR AUGMENTATION.

2 ALL RIGHT. MR. HAUP?

3 MR. HAUP: THANK YOU, MR. CHAIRMAN AND MEMBERS OF
4 THE BOARD.

5 AS CHAIRMAN EATON HAS DESCRIBED,
6 THIS -- MY NAME IS ANDREW HAUP, FROM THE TRUST
7 FOR PUBLIC LAND. AND AS CHAIRMAN EATON HAS DESCRIBED, THIS
8 SANBORN PARK IS THE RESULT OF A PUBLIC/PRIVATE COLLABORATION
9 THAT IS INTENDING TO REVITALIZE A MUCH-LOVED CENTER OF THE
10 COMMUNITY IN FRUITVALE. AND THE PRIORITY IS TO CREATE A
11 REVITALIZED AND SUSTAINABLE PARK AS THE SYMBOLIC HEART OF
12 THE COMMUNITY.

13 THERE'S TWO WAYS THAT WE'RE PROPOSING TO DO
14 THAT, AS YOU HAVE BEFORE YOU IN THE PROPOSAL.

15 ONE WAY OF DOING THAT IS TO INCORPORATE
16 RECYCLED-CONTENT MATERIALS INTO
17 THE LANDSCAPING. AND IN TERMS -- WE HAVE IDENTIFIED -- IN
18 ANSWER TO YOUR QUESTION, SIR, WE HAVE IDENTIFIED A WHOLE
19 RANGE OF ITEMS AND THEIR SPECIFIC COSTS, WHICH ACTUALLY DO
20 EXCEED BY A FAIR AMOUNT THE AMOUNT OF THE GRANT THAT WE'RE
21 REQUESTING.

22 IT IS OUR COMMITMENT TO DO THIS IN AS
23 ECONOMICAL A MANNER AS POSSIBLE, GIVEN THE, I WOULD SAY,
24 LACK OF ABUNDANCE OF MONEY TO DO PARK REVITALIZATION

1 PROJECTS IN COMMUNITIES LIKE THIS. SO, YOU KNOW, CERTAINLY,
2 OUR COMMITMENT TO BE VERY CONSCIENTIOUS ABOUT THE BUDGET
3 ITEMS.

4 THE SECOND THING -- AND THAT INCLUDES NOT
5 ONLY THINGS LIKE BENCHES, TRASH RECEPTACLES, CHILDRENS' PLAY
6 EQUIPMENT -- WE'RE ALSO TALKING ABOUT THE INCORPORATION OF
7 RECYCLED DEMOLITION MATERIALS FROM THE PARK ITSELF. WE ARE
8 TALKING ABOUT PLAY SURFACING, WE'RE TALKING ABOUT USING
9 RECYCLED CONCRETE AS A BASE FOR THE PLAY SURFACING, AS WELL
10 AS FOR THE TRAILS.

11 AND, WE'D ALSO LIKE TO REALLY WORK ON
12 DEVELOPING THE ORGANIC PIECE OF THE PARK. THERE'S A LOT OF
13 GREENERY THERE, WE'D LIKE TO BE ABLE TO DO COMPOSTING IN THE
14 FUTURE. THERE'S BEEN A CONSIDERABLE AMOUNT OF INTEREST IN
15 COMMUNITY GARDENING, ETC.

16 ALL OF THESE ARE AVENUES FOR -- THAT WE
17 BELIEVE WOULD BE A GREAT MATCH FOR A PARTNERSHIP FOR THE
18 INTEGRATED WASTE MANAGEMENT BOARD.

19 THE SECOND PIECE IS THE CONSIDERATION OF THE
20 DESIGN DEVELOPMENT OF A NEW COMMUNITY CENTER AS A GREEN
21 BUILDING. WE ALSO VIEW THIS AS A VERY IMPORTANT PIECE OF
22 THE LARGER ETHIC OF A SUSTAINABLE DEVELOPMENT, IN THAT IT
23 WOULD INCORPORATE RECYCLED-CONTENT MATERIALS INTO THE
24 BUILDING, AS WELL AS DESIGN THE BUILDING WITH A HIGH LEVEL

1 OF ENERGY EFFICIENCY. SO THIS DESIGN DEVELOPMENT PIECE IS
2 THE CRITICAL PIECE WHEN THESE DECISIONS ABOUT INCORPORATING
3 THE MATERIALS, AND WHAT YOU CAN DO, WHAT YOU CAN'T DO --
4 THIS IS WHEN THEY'RE MADE.

5 WE ARE PREPARED TO MOVE FORWARD. WE DO HAVE
6 A GROUND BREAKING SCHEDULED FOR JUNE 5TH, AND WE HAVE
7 CONSTRUCTION SCHEDULED TO MOVE FORWARD IN THE FIRST WEEK OF
8 JULY. AS WELL AS WE'RE PREPARED TO MOVE FORWARD ON THE
9 DESIGNED DEVELOPMENT OF THE NEW COMMUNITY CENTER, PENDING
10 FUNDING.

11 SO, WE ARE EAGER TO PARTNER WITH THE BOARD
12 AND MAKE THIS COMMUNITY'S DREAM A REALITY. AND WE WOULD
13 VERY MUCH APPRECIATE YOUR SUPPORT.

14 MEMBER PENNINGTON: I'D JUST ASK THAT STAFF GET
15 THOSE BREAKDOWNS FOR US AND SHARE THEM WITH IT.

16 AND IT'S NOT THAT I'M QUESTIONING YOUR
17 ABILITIES, I'M MORE CONCERNED ABOUT DOWN THE ROAD. I MEAN,
18 I CAN SEE US DOING THIS WITH OTHER PROJECTS AND IT'S -- WE
19 SHOULD HAVE SOME KIND OF A BENCHMARK AS TO WHAT THE COSTS
20 ARE INVOLVED.

21 WITH THAT, SINCE I'M A NATIVE, BORN IN
22 OAKLAND, I'LL MOVE ADOPTION OF RESOLUTION 1999-241.

23 CHAIRMAN EATON: ALL RIGHT. BEFORE WE DO THAT, WE
24 HAVE TO ADOPT -- I DON'T BELIEVE WE ADOPTED THE (A) PORTION

1 --

2 MEMBER PENNINGTON: YEAH, WE DID.

3 CHAIRMAN EATON: DID WE, IN THE CONSENT CALENDAR -

4 -

5 (THE PARTIES SIMULTANEOUSLY SPEAK.)

6 MS. TRGOVCICH: WE DIDN'T.

7 CHAIRMAN EATON: WE DIDN'T?

8 MEMBER JONES: OH, OKAY.

9 MEMBER PENNINGTON: WELL, I DID. (LAUGHTER.)

10 CHAIRMAN EATON: LET ME PROCEED THIS WAY, MR.

11 PENNINGTON. IF YOU WILL MOVE --

12 MEMBER PENNINGTON: I'LL MOVE FOR ADOPTION OF PART

13 (A), WHATEVER IT IS, PART (A) --

14 CHAIRMAN EATON: RESOLUTION 1999-240 --

15 MEMBER PENNINGTON: DASH 240, YES.

16 CHAIRMAN EATON: AND I'LL SECOND THAT.

17 MADAM SECRETARY, WILL YOU PLEASE CALL THE ROLL?

18 THE SECRETARY: BOARD MEMBERS JONES?

19 MEMBER JONES: AYE.

20 THE SECRETARY: PENNINGTON?

21 MEMBER PENNINGTON: AYE.

22 THE SECRETARY: ROBERTI?

23 MEMBER ROBERTI: AYE.

24 THE SECRETARY: CHAIRMAN EATON?

1 CHAIRMAN EATON: AYE.

2 ALL RIGHT.

3 MEMBER PENNINGTON: NOW I'LL MOVE ADOPTION OF
4 RESOLUTION 1999-241.

5 CHAIRMAN EATON: ALL RIGHT, AND I'LL SECOND THAT
6 MOTION.

7 MR. PENNINGTON MOVES AND MR. EATON SECONDS
8 THAT WE ADOPT RESOLUTION 1999-241.

9 AND, WITHOUT -- WELL, IT INVOLVES MONEY SO WE
10 BETTER DO A ROLL CALL, I WANT TO BE CONSISTENT HERE. MADAM
11 SECRETARY, PLEASE CALL THE ROLL.

12 THE SECRETARY: BOARD MEMBERS JONES?

13 MEMBER JONES: AYE.

14 THE SECRETARY: PENNINGTON?

15 MEMBER PENNINGTON: AYE.

16 THE SECRETARY: ROBERTI?

17 MEMBER ROBERTI: AYE.

18 THE SECRETARY: CHAIRMAN EATON?

19 CHAIRMAN EATON: ADOPTED. THANK --

20 MEMBER JONES: MR. CHAIRMAN? JUST ONE COMMENT?
21 WE TALKED ABOUT PLAQUES A COUPLE OF YEARS AGO ON ITEMS LIKE
22 THIS. I THINK THAT, YOU KNOW, WHEN YOU WORK WITH STAFF
23 ANYTHING THAT IDENTIFIES THAT THIS IS MADE OF RECYCLED-
24 CONTENT, IF YOU DO HAVE SOME KIND OF SIGNAGE IT WOULD BE

1 IMPORTANT TO PROMOTE THE -- I DON'T REALLY CARE ABOUT OUR
2 NAME BEING PROMOTED AS I DO THE IDEA THAT PEOPLE KNOW THESE
3 MATERIALS ARE FROM RECYCLED-CONTENT.

4 MR. HAUP: YES, THAT'S ACTUALLY A VERY IMPORTANT
5 ASPECT OF THE PROJECT TO US, AND WE LOOK AT HIS ACTUALLY AS
6 A MULTILINGUAL OPPORTUNITY TO DO THAT, GIVEN THAT MANY
7 MEMBERS OF THIS COMMUNITY DO NOT SPEAK ENGLISH. AND THE
8 CITY IS COMMITTED TO USING THIS AS AN EDUCATIONAL VEHICLE.

9 MEMBER JONES: RIGHT. THANK YOU.

10 MR. HAUP: THANK YOU.

11 CHAIRMAN EATON: AND IF YOU LOOK AT PAGE 15 ON THE
12 SCOPE OF WORK IT'S IDENTIFIED THERE.

13 BUT, I WANT TO GO BACK TO MR. PENNINGTON'S,
14 BECAUSE I THINK THERE'S ANOTHER BENEFIT AND, YOU KNOW, I
15 REALLY THINK IT'S IMPORTANT THAT IF WE CAN ALSO LOOK AT ANY
16 OF THESE PROJECTS -- NOT ONLY THIS PROJECT WHICH HAS ALREADY
17 BEEN -- THE FIGURES -- BUT ALL THE OTHER PROJECTS, I THINK
18 IT'LL HELP US FIGURE OUT HOW MUCH THIS STUFF COSTS JUST
19 GENERALLY, SO THAT....

20 I MEAN, WE KNOW WHAT IT IS AS -- AS WE HELP
21 OTHER COMMUNITIES AS WE GO OUT, BECAUSE WE'RE GOING TO BE
22 PROBABLY PUSHING THEM AND THEY'RE GOING TO SAY, WELL, WE
23 DON'T KNOW WHAT IT COSTS, WE PROBABLY HAVE -- WE COULD BE A
24 DEPOSITORY FOR THOSE COSTS, DEPENDING UPON WHAT THEY ARE.

1 SO I THINK THERE'S AN ADDITIONAL BENEFIT, IN ADDITION TO
2 JUST THE ACCOUNTING OVERSIGHT, ONE THAT'S EDUCATIONAL --

3 MEMBER PENNINGTON: RIGHT. RIGHT.

4 CHAIRMAN EATON: -- AS WELL. I THINK THAT YOU'RE
5 ABSOLUTELY RIGHT.

6 AGENDA ITEM 17: CONSIDERATION OF ADOPTION OF PROPOSED
7 REVISIONS TO THE BOARD'S CONFLICT OF INTEREST CODE; OR,
8 APPROVAL TO NOTICE AN ADDITIONAL 15-DAY COMMENT PERIOD

9 CHAIRMAN EATON: ALL RIGHT. MEMBERS, WE HAVE JUST
10 THREE SMALL ITEMS LEFT, 17, 18 AND 22. THAT COMPLETES MS.
11 TRGOVCICH. AND THAT WAS PROBABLY THE QUICKEST YOU'VE BEEN
12 BEFORE US IN SOME TIME.

13 MR. BLOCK.

14 MR. BLOCK: GOOD MORNING CHAIRMAN EATON AND
15 MEMBERS OF THE BOARD, ELLIOTT BLOCK FROM THE LEGAL OFFICE.

16 AND I'M HERE TO PRESENT ITEM 17 WHICH --
17 REGARDING THE PROPOSED REVISIONS TO THE CONFLICT OF INTEREST
18 CODE. I'M GOING TO GIVE YOU THE SHORT VERSION OF THIS
19 PRESENTATION BUT, OF COURSE, IF YOU HAVE ANY QUESTIONS I CAN
20 CERTAINLY ANSWER THOSE AND WE CAN DO THAT IN MORE DETAIL.

21 JUST BRIEFLY, WITH THE PROPOSED REVISIONS TO
22 THE CONFLICT OF INTEREST CODE, THE PROCESS SO FAR, WE'RE
23 REQUIRED TO UPDATE OUR CONFLICT OF INTEREST CODE AT LEAST
24 ONCE EVERY TWO YEARS, AND THIS YEAR WE HAVE PROPOSED SOME

1 REVISIONS TO UPDATE THE POSITIONS THAT ARE LISTED, AND ALSO
2 THE DISCLOSURE CATEGORIES.

3 WE FINISHED THE 45-DAY COMMENT PERIOD ON MAY
4 3RD, AND WE DID RECEIVE A FEW COMMENTS WHICH NOTED
5 CORRECTIONS FOR TYPOS AND ALSO SOME JOB TITLES, AND THOSE
6 ARE DESCRIBED IN THE AGENDA ITEM ON PAGE 17-3.

7 IN ADDITION, SINCE THE ITEM WAS WRITTEN, WE
8 HAVE DISCOVERED TWO MORE TYPOGRAPHICAL ERRORS.

9 I HAD INADVERTENTLY ADDED THE POSITION OF
10 DEPUTY DIRECTOR TO THE EXECUTIVE OFFICE ON THE LIST OF
11 DESIGNATED POSITIONS, THAT'S PAGE 17-7 OF THE ITEM, AND SO
12 WE'LL BE DELETING THAT BACK OUT SINCE THAT'S NOT CURRENTLY
13 ON THE ORGANIZATIONAL CHART.

14 AND ALSO, ON PAGE 17-12, ON
15 CATEGORY 1 OF THE DISCLOSURE CATEGORIES, I HAD INADVERTENTLY
16 LEFT OFF THE WORDS "THROUGHOUT CALIFORNIA" AT THE END OF
17 THAT SENTENCE.

18 BOTH OF THOSE CHANGES, AND THE
19 OTHER CHANGES THEMSELVES, ARE ESSENTIALLY CLARIFICATIONS,
20 TYPOGRAPHICAL FIXES, AND THOSE CAN BE MADE WITHOUT THE NEED
21 TO GO OUT FOR AN ADDITIONAL 15-DAY COMMENT PERIOD.

22 SO, UNLESS THE BOARD HAS OTHER CHANGES THAT
23 THEY WOULD MADE, WE WILL BE RECOMMENDING ADOPTION OF THE
24 PROPOSED REVISIONS TO THE CONFLICT OF INTEREST CODE SO THAT

1 WE CAN SUBMIT THIS TO THE FAIR POLITICAL PRACTICES
2 COMMISSION APPROVAL.

3 CHAIRMAN EATON: OKAY. ALL RIGHT. MR. JONES WILL
4 BE BACK SHORTLY -- IN FACT, I THINK HE'S HERE RIGHT NOW.

5 MEMBER PENNINGTON: THAT'S CATHERINE.

6 AGENDA ITEM 18: CONSIDERATION OF ADOPTION
7 OF THE PROPOSED REGULATIONS FOR UNRELIABLE CONTRACTORS,
8 SUBCONTRACTORS, BORROWERS, AND GRANTEES, OR, APPROVAL TO
9 NOTICE AN ADDITIONAL
10 15-DAY COMMENT PERIOD

11 CHAIRMAN EATON: OH. ALL RIGHTY. IF WE CAN JUST
12 MOVE FOR DISCUSSION, ITEM NO. 18, AND THEN WE'LL COME BACK
13 TO ITEM NO. 17.

14 MR. BLOCK: AGAIN, JUST BRIEFLY THE PROCESS SO FAR.
15 WE COMPLETED A 45-DAY COMMENT PERIOD ON THESE REGULATIONS
16 ON MARCH 23RD. AFTER THE BOARD PROVIDED SOME SPECIFIC
17 DIRECTION REGARDING THOSE REGULATIONS, WHICH IS DESCRIBED ON
18 PAGE 18-2 AND -3 OF THE ITEM, WE NOTICED THE REGULATIONS FOR
19 AN ADDITIONAL 15-DAY COMMENT PERIOD. WE RECEIVED THREE
20 COMMENTS, AND THE DETAILS OF THOSE COMMENTS ARE DESCRIBED ON
21 PAGE 18-3 AND -4 OF THE ITEM.

22 STAFF IS RECOMMENDING MAKING CHANGES
23 SUGGESTED BY ONE COMMENTOR, AND THEY'RE ESSENTIALLY
24 GRAMMATICAL CHANGES TO ONE OF THE SECTIONS. BUT, IT'S NOT

1 RECOMMENDING MAKING THE CHANGES FOR THE OTHER COMMENTS. AND
2 I CAN DESCRIBE THOSE IF YOU HAVE SOME QUESTIONS, BUT THEY
3 ARE DESCRIBED IN THE TIME.

4 AND SO, AGAIN, FOR THESE REGULATIONS, UNLESS
5 THE BOARD HAS -- AND THOSE GRAMMATICAL CHANGES, OF COURSE,
6 DON'T -- WILL NOT REQUIRE AN ADDITIONAL 15-DAY COMMENT
7 PERIOD. SO, UNLESS THE BOARD HAS SOME ADDITIONAL CHANGES
8 THEY WOULD LIKE TO SEE IN THOSE REGULATIONS THEY -- WE ARE
9 RECOMMENDING THAT THEY BE APPROVED FOR -- ADOPTED SO THAT WE
10 CAN SUBMIT THEM TO THE OFFICE OF ADMINISTRATIVE LAW FOR
11 REVIEW AND APPROVAL.

12 CHAIRMAN EATON: MR. BLOCK, THERE WAS SOME
13 CONTROVERSY WITH A NUMBER OF STAKEHOLDERS --

14 MR. BLOCK: RIGHT.

15 CHAIRMAN EATON: -- THAT HAD RAISED SOME ISSUES.
16 I THINK JUST IN TERMS OF WHETHER AN ADVERSE INTERPRETATION,
17 AS TO THE WAY IT WAS DRAFTED. I THINK YOU HAVE MET WITH
18 THEM, I THINK, AND THOSE ISSUES HAVE BEEN RESOLVED? AT
19 LEAST TO ALL OF THE STAKEHOLDERS IN YOUR SATISFACTION?

20 MR. BLOCK: YES. I BELIEVE YOU'RE REFERRING TO
21 THE COMMENT REGARDING ONE OF THE GROUNDS FOR BEING
22 POTENTIALLY PLACED ON THE LIST, AND SOME CLARIFICATION WAS
23 REQUESTED BY ONE OF THE COMMENTORS THAT IT WAS FOR -- WHERE
24 AN ORDER IS VIOLATED, AND THERE WAS SOME CLARIFICATION

1 REQUESTED BY ONE OF THE COMMENTORS THAT IT SHOULD BE CLEAR
2 THAT, OF COURSE, IF AN ORDER'S IN THE PROCESS OF BEING
3 APPEALED THAT THAT THRESHOLD HADN'T BEEN MET YET. AND I
4 BELIEVE THAT THAT IS THE -- CERTAINLY FROM MY POINT OF VIEW,
5 PROBABLY THE ONLY REASONABLE INTERPRETATION THAT CAN BE MADE
6 ON THAT.

7 OBVIOUSLY, IF THE BOARD DISAGREES WITH THAT
8 WE WOULD NEED TO BE WORKING ON THAT LANGUAGE IF YOU WANTED
9 TO SOMETHING ELSE. BUT THAT WAS CERTAINLY HOW THE LANGUAGE
10 WAS WORDED.

11 I DID SPEAK WITH THAT COMMENTOR A COUPLE OF
12 DAYS AGO AND HE HAD INDICATED THAT HE WAS -- WHILE HE WOULD
13 LIKE ADDITIONAL CLARIFICATION, HE WAS NOT -- HE WOULD NOT BE
14 OBJECTING TO THE FACT THAT IT WAS ADOPTED WITHOUT THAT
15 CLARIFICATION.

16 CHAIRMAN EATON: OKAY. FURTHER QUESTIONS OF MR.
17 BLOCK? ALL RIGHTY.

18 ITEM NO. 18 --

19 MEMBER JONES: MR. CHAIRMAN?

20 CHAIRMAN EATON: MR. JONES.

21 MEMBER JONES: I'D LIKE TO MOVE RESOLUTION 1999-
22 06, WHICH IS THE ADOPTION OF THE PROPOSED REGS FOR
23 UNRELIABLE CONTRACTORS, SUBCONTRACTORS, BORROWERS AND
24 GRANTEES.

1 MEMBER PENNINGTON: I'LL SECOND.

2 CHAIRMAN EATON: MR. PENNINGTON SECONDS -- MR.
3 JONES MOVES AND MR. PENNINGTON SECONDS THAT WE ADOPT
4 RESOLUTION 1999-06.

5 MADAM SECRETARY, PLEASE CALL THE ROLL.

6 THE SECRETARY: BOARD MEMBERS JONES?

7 MEMBER JONES: AYE.

8 THE SECRETARY: PENNINGTON?

9 MEMBER PENNINGTON: AYE.

10 THE SECRETARY: ROBERTI?

11 MEMBER ROBERTI: AYE.

12 THE SECRETARY: CHAIRMAN EATON?

13 CHAIRMAN EATON: AYE.

14 AGENDA ITEM 17: CONSIDERATION OF ADOPTION OF PROPOSED
15 REVISIONS TO THE BOARD'S CONFLICT OF INTEREST CODE; OR,
16 APPROVAL TO NOTICE AN ADDITIONAL 15-DAY COMMENT PERIOD
17 (RESUMED)

18 CHAIRMAN EATON: OKAY. NOW WE CAN MOVE BACK TO
19 ITEM NO. 17.

20 MEMBER JONES: SORRY ABOUT THAT.

21 MEMBER PENNINGTON: I'LL MOVE ADOPTION OF
22 RESOLUTION 1999-158.

23 CHAIRMAN EATON: I BELIEVE IT'S RESOLUTION -05.

24 MEMBER PENNINGTON: -05, IS IT? I THOUGHT WE JUST

1 DID -05, I'M SORRY.

2 MEMBER JONES: I'LL SECOND.

3 CHAIRMAN EATON: NO, THAT WAS -06.

4 MR. PENNINGTON MOVES AND MR. JONES SECONDS
5 THAT WE ADOPT RESOLUTION 1999-05.

6 WITHOUT OBJECTION, WE'LL SUBSTITUTE THE
7 PREVIOUS ROLL CALL. HEARING NO OBJECTION, SO SHALL BE
8 ORDERED.

9 AGENDA ITEM 22: CONSIDERATION AND APPROVAL OF THE
10 SCOPE OF WORK FOR AN INTERAGENCY AGREEMENT WITH THE
11 CALIFORNIA DEPARTMENT OF PARKS AND RECREATION TO DEVELOP AND
12 DISTRIBUTE USED OIL AND FILTER RECYCLING INFORMATION

13 CHAIRMAN EATON: THE FINAL ITEM ON TODAY'S AGENDA
14 WILL BE ITEM NO. 22, CONSIDERATION AND APPROVAL OF THE SCOPE
15 OF WORK FOR AN INTERAGENCY AGREEMENT WITH THE CALIFORNIA
16 DEPARTMENT OF PARKS AND REC.

17 MR. BOUGHTON: GOOD MORNING MR. CHAIRMAN AND BOARD
18 MEMBERS. MY NAME IS BOB BOUGHTON AND I'M WITH THE USED OIL
19 RECYCLING PROGRAM.

20 AND I WOULD LIKE TO BRING TO YOU
21 CONSIDERATION OF APPROVAL OF A SCOPE OF WORK WITH THE
22 DEPARTMENT OF PARKS AND RECREATION OFF-HIGHWAY VEHICLE
23 PROGRAM. THEY REGISTER ABOUT 350,000 MOTORCYCLES AND DUNE
24 BUGGIES AND SNOWMOBILES AND JEEPS AND SUCH EQUIPMENT FOR

1 OFF-ROAD USE.

2 AND THE OUTREACH TO THAT GROUP, USING A
3 MAGAZINE, THEY PRINT ABOUT 100,000 OF THESE GREEN STICKER
4 (PHON) MAGAZINES, I THINK I PROVIDED THOSE TO YOUR OFFICES
5 EARLIER THIS WEEK. AND WHAT WE WANT TO DO IS TO PUT SOME
6 ADVERTISEMENTS AND PROMOTIONAL ARTICLES IN THIS MAGAZINE TO
7 OUTREACH TO THIS GROUP.

8 AND WE WORKED WITH THEM -- THIS PROGRAM FOR
9 THIS LATEST EDITION TO PUT IN A SURVEY, AND FOR \$4500 THEY
10 INCLUDED THAT IN 100,000 OF THESE PUBLICATIONS AND WE'RE
11 JUST GETTING THOSE RESULTS BACK, AND IT'S PROVING TO US THAT
12 THIS IS A VERY RICH TARGET AUDIENCE.

13 WE ASSUMED FROM PERSONAL EXPERIENCE THAT MOST
14 PEOPLE THAT HAVE MOTORCYCLES AND THESE OFF-ROAD VEHICLES ARE
15 SERVICING THEM -- VERY HIGH SERVICE RATE AND SERVICING THEM
16 OFTEN. AND THE SURVEYS ARE SHOWING THAT ROUGHLY 79% OF --
17 AT LEAST FOR THE 100 SURVEYS THAT WE HAVE BACK THUS FAR,
18 ABOUT 79% OF THE SURVEY RESPONDENTS ARE TELLING US THAT
19 THEY'RE SERVICING THEIR OFF-ROAD VEHICLES AND THEIR
20 AUTOMOBILES, AND THAT'S SEVERAL TIMES HIGHER THAN THE 23%
21 WHICH IS THE GENERAL DIY RATE FOR HOMES IN THIS STATE.

22 SO IT DOES SEEM TO BE A VERY RICH AUDIENCE.
23 AND BECAUSE THE DEPARTMENT ALREADY ISSUES THIS MAGAZINE IT'S
24 A VERY COST-EFFICIENT WAY OF OUTREACHING TO THIS GROUP

1 RATHER THAN CREATING A SEPARATE MAILING LIST AND TRYING TO -
2 - OR TRYING TO REACH THEM THROUGH PERIODICALS THAT THESE
3 PEOPLE MAY READ.

4 SO WITH THAT BEING SAID, I WOULD LIKE TO ASK
5 YOU FOR APPROVAL OF THE SCOPE OF WORK AND FOR THE ADOPTION
6 OF RESOLUTION 1999-04.

7 CHAIRMAN EATON: ALL RIGHT. MR. PENNINGTON, IF
8 YOU REMEMBER, THIS WAS A -- AN ITEM THAT I THINK YOU HAD --

9 MEMBER PENNINGTON: RIGHT.

10 CHAIRMAN EATON: -- SOME INTEREST IN, WE DID THE
11 SHORT-TERM AND NOW THIS IS BACK.

12 MEMBER PENNINGTON: RIGHT.

13 CHAIRMAN EATON: SO I JUST FIGURED MAYBE IF YOU
14 WOULD LIKE TO MAKE THE MOTION --

15 MEMBER PENNINGTON: I'D BE HAPPY --

16 CHAIRMAN EATON: -- SINCE YOU WERE THE ONE WHO I
17 THINK REALLY LED THE CHARGE ON THIS ONE.

18 MEMBER PENNINGTON: THANK YOU. YES, MR. CHAIRMAN,
19 I WOULD BE HAPPY TO MOVE ADOPTION OF RESOLUTION 1999-04.

20 CHAIRMAN EATON: AND I'LL SECOND THAT MOTION.

21 WITHOUT OBJECTION, WE'LL SUBSTITUTE THE
22 PREVIOUS ROLL CALL ON RESOLUTION 1999-04.

23 MEMBER JONES: I HAVE ONE QUESTION OF MR.
24 BOUGHTON.

1 CHAIRMAN EATON: OKAY, I'M SORRY.

2 MEMBER JONES: WERE YOU A FIGHTER PILOT?

3 MR. BOUGHTON: NO, SIR.

4 MEMBER JONES: TARGET RICH, IT --

5 MR. BOUGHTON: YES, YEAH. I'M HAVING A REAL GOOD
6 TONE ON -- (LAUGHTER).

7 VIII. PUBLIC COMMENT

8 CHAIRMAN EATON: THE ONLY OTHER ITEM LEFT IS THE
9 PUBLIC COMMENT, IF ANYONE WOULD LIKE TO SPEAK --

10 MR. BOUGHTON: THANK YOU.

11 CHAIRMAN EATON: -- FROM THE PUBLIC REGARDING ANY
12 MATTER -- I'M SORRY?

13 MS. TOBIAS: MR. CHAIRMAN, DID YOU GO BACK AND
14 PICK UP ITEM 8 FOR A VOTE? IS THAT ONE WHERE SOMEBODY WAS
15 OUT AND YOU PICKED IT UP?

16 CHAIRMAN EATON: UM-HUM. ABSOLUTELY, ON MY SHEET
17 RIGHT HERE.

18 AGENDA ITEM 14: (B) AWARD OF AN AGREEMENT WITH SHASTA
19 COMMUNITY COLLEGE FOR MAINTENANCE AND SERVICING OF THE
20 RECYCLESTORE WEB SITE AND OTHER RELATED ACTIVITIES (RESUMED)

21 MR. BOYD: THEN, MR. CHAIR, I DO HAVE ONE
22 CLARIFYING ITEM THAT WE DO NEED TO GO BACK TO. WHEN ITEM 14
23 WAS PROPOSED THE INTEGRATED WASTE MANAGEMENT ACCOUNT FUNDING
24 WAS INDICATED UPON THE ANALYSIS IN YOUR PACKET. IT'S MY

1 RECOMMENDATION THAT WE UNALLOCATE THAT PORTION AND INSTEAD
2 USE THE RMDZ. I BELIEVE THIS WAS A TYPO, IT HAS TO DO WITH
3 THE RECYCLING MARKET DEVELOPMENT ZONES AND THE CONSIDERATION
4 OF THAT CONTRACT CONCEPT FOR WORK WITH SHASTA COMMUNITY
5 COLLEGE FOR THE MAINTENANCE OF THAT WEB SITE AND OTHER
6 RELATED ACTIVITIES.

7 AS YOU MENTIONED, NEXT MONTH WE WILL BE DOING
8 A REALLOCATION OF THE IWMA AND I THINK IT'S IMPORTANT THAT
9 WE HAVE THESE FUNDS PROPERLY IN THAT ACCOUNT, AND THAT WE
10 EARMARK THE RMDZ FOR AGENDA ITEM NO. 14, WHICH I BELIEVE WAS
11 SIMPLY A TYPO ON STAFF'S PART.

12 CHAIRMAN EATON: OKAY. I'M JUST GOING THROUGH THE
13 RESOLUTION TO SEE IF THERE WAS ANY REFERENCE TO IT, OR IF IT
14 WAS JUST PART OF THE BOARD PACKET.

15 MR. BOYD: ON 14-3 IS WHERE I --

16 CHAIRMAN EATON: RIGHT.

17 MR. BOYD: I JUST DIDN'T WANT TO HAVE ANY PROBLEM
18 WITH THAT --

19 (THE PARTIES SIMULTANEOUSLY SPEAK.)

20 CHAIRMAN EATON: -- JUST WONDERING IF WE HAVE TO
21 GO BACK THROUGH AND RECAST THE VOTE, IF THERE WAS ANYTHING
22 IN THE RESOLUTION.

23 COUNSEL?

24 MS. TOBIAS: I WOULD RATHER THAT YOU GO BACK,

1 BECAUSE THE AGENDA ITEM ITSELF -- ALTHOUGH IT'S NOT IN THE
2 RESOLUTION - THE AGENDA ITEM ITSELF INDICATES, IN THE USUAL
3 CHART THAT WE USE, THAT IT IS THE IWMA, SO I'D PREFER THAT
4 YOU RE-VOTE IT PLEASE.

5 CHAIRMAN EATON: OKAY.

6 MEMBER PENNINGTON: MR. CHAIRMAN?

7 CHAIRMAN EATON: MR. PENNINGTON.

8 MEMBER PENNINGTON: I'LL MOVE ADOPTION OF
9 RESOLUTION 1999-234, AND WHERE IT SAYS "THEREFORE BE IT
10 RESOLVED THAT THE CIWMB AWARDS AN AGREEMENT FOR \$40,000 FROM
11 THE RMDZ ACCOUNT WITH SHASTA COMMUNITY COLLEGE FOR
12 MAINTENANCE AND SERVICING OF THE RECYCLESTORE WEB SITE AND
13 OTHER RELATED ACTIVITIES.

14 CHAIRMAN EATON: OKAY.

15 MEMBER JONES: I'LL SECOND.

16 CHAIRMAN EATON: ALL RIGHTY. MR. PENNINGTON MOVES
17 AND MR. JONES SECONDS THAT THE CORRECTED RESOLUTION 1999-234
18 BE ADOPTED TO REFLECT THE CORRECT FUND, WHICH WOULD BE THE
19 RECYCLING MARKET DEVELOPMENT REVOLVING LOAN ACCOUNT BE
20 ADOPTED.

21 WITHOUT OBJECTION, WE WILL SUBSTITUTE THE
22 ROLL CALL FOR THE PREVIOUS RESOLUTION ON ITEM NO. 14.
23 THEREBY APPROVED.

24 IX. ADJOURNMENT

1 CHAIRMAN EATON: ALL RIGHT. HEARING NO PUBLIC
2 COMMENT, THEN THIS MEETING WILL STAND ADJOURNED. THANK YOU.